

Washington, Friday, February 9, 1945

The President

PROCLAMATION 2638

EMERGENCY BOARD, KENTUCKY & INDIANA TERMINAL RAILROAD—EMPLOYEES

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA

A PROCLAMIATION

WHEREAS, the President, having been duly notified by The National Mediation Board that a dispute between the Kentucky & Indiana Terminal Railroad, a carrier, and certain of its employees represented by the following labor organization:

Brotherhood of Railroad Trainmen

which dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, amended, now threatens substantially to interrupt interstate commerce within the State of Kentucky to a degree such as to deprive that section of the country of essential transportation service:

NOW THEREFORE I, FRANKLIN D. ROOSEVELT, President of the United States of America, by virtue of the power vested in me by the Constitution and laws of the United States, and by virtue of and under the authority in me vested by Section 10 of the Railway Labor Act, amended, do hereby create a board to be composed of three persons not pecuniarily or otherwise interested in any organization of railway employees or any carrier, to investigate the aforementioned dispute and report the findings to me within thirty days from this date.

The members of this board shall be compensated for and on account of such duties in the sum of seventy-five dollars (\$75.00) for every day actually employed with or upon account of travels and duties incident to such board. The members will be reimbursed for and they are hereby authorized to make expenditures for expenses for themselves and of the board, including necessary transportation expenses, and in conformity with Public No. 373—78th Congress, approved June 28, 1944, not to exceed six dollars (\$6.00) per diem in lieu of subsistence while so employed.

All expenditures of the Board shall be allowed and paid for out of the appropriation "Arbitration and Emergency Boards, National Mediation Board, 1945" on the presentation of itemized vouchers properly approved by the chairman of the board hereby created.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this sixth day of February in the year of our Lord one thousand nine hun-lined and forty-five, and of the Independence of the United States of America the one hundred and sixty-ninth.

FRANKLIN D ROOSEVELT

By the President:

Joseph C. Grew, Acting Secretary of State.

[F. R. Doc. 45-2302; Filed, Feb. 8, 1945; 11:43 a. m.]

EXECUTIVE ORDER 9519

EXTENSION OF THE PROVISIONS OF EXECU-TIVE ORDER NO. 9001 OF DECEMBER 27, 1941, TO THE OFFICE OF WAR MOBILIZA-TION AND RECONVERSION, THE OFFICE OF CONTRACT SETTLEMENT, THE SURPLUS PROPERTY BOARD, AND THE RETRAINING AND REEMPLOYMENT ADMINISTRATION

By virtue of the authority vested in me by Title II of the First War Powers Act, 1941, approved Dzcember 18, 1941 (55 Stat. 839), and as President of the United States, and deeming that such action will facilitate the prosecution of the war, I hereby extend the provisions of Executive Order No. 9001 of Dzcember 27, 1941, to the Office of War Mobilization and Reconversion, the Office of Contract Settlement, the Surplus Property Board, and the Retraining and Reemployment Administration, with respect to all contracts made or to be made by such agencies; and, subject to the limitations and regulations contained in such Executive order, I hereby authorize the Director

(Continued on next page)

CONTENTS

THE PRESIDENT

PROCLAMATION:

Page

| HOCKETHION. | |
|--|------|
| Emergency Board, Kentucky & | |
| Indiana Terminal Rail- | |
| road—employees | 1661 |
| EXECUTIVE ORDERS: | |
| Office of War Mobilization and | |
| Reconversion, Office of Con- | |
| tract Settlement, Surplus | |
| Property Board, and Re- | |
| Property Board, and Re- training and Reemployment | |
| Administration: extension | |
| Administration; extension of provisions of Executive | |
| Order No. 9001 | 1661 |
| Vice chairman of Board of Gov- | - |
| ernors of Federal Reserve | |
| System, designation | 1662 |
| , | |
| REGULATION AND NOTICES | 3 |
| llien Property Custodian: | |
| Vesting orders: Heyn, Roman H | |
| Heyn, Roman H | 1671 |
| Leher, Elizabeth McCullough, Hedwig H | 1675 |
| McCullough, Hedwig H | 1671 |
| Maertz, Auguste | 1671 |
| Meinert, Alfred | 1672 |
| Milos, John | 1672 |
| Naito, Sadaharu | 1672 |
| Nissen, Ludwig | 1673 |
| Pechar, John | 1673 |
| Peterman, August | 1674 |
| Schulze, Franz August Johann | |
| (Gustav) | 1674 |
| Shepperd, Emma Fredericka | |
| Johanne | 1674 |
| Utz, Robert M | 1675 |
| JUSTOMS BUREAU: | |
| Enforcement of customs and | |
| navigation laws, baggage of | |
| passengers from foreign | |
| countries | 1665 |
| EDERAL COMMUNICATIONS COMMIS- | |
| SION: | |
| Central Broadcasting Co., et al., | |
| hearing | 1669 |
| EDERAL RESERVE SYSTEM: | |
| Consumer credit, exceptions; | |
| cervicemen's guaranteed | |
| loans | 1665 |
| | |

FEDERAL TRADE COMMISSION:

Phillips Sales Co., Inc., and

plaint and hearing__

Haas-Guthman Co., com-

(Continued on next page)

_ 1670

¹⁶ FR. 6787.



Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as

amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL

REGISTER.

NOTICE

Book 1 of the 1943 Supplement to the Code of Federal Regulations may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy. This book contains the material in Titles 1-31, including Presidential documents, issued during the period from June 2, 1943, through December 31, 1943.

CONTENTS—Continued

| • | |
|---|------|
| Grazing Division: | Page |
| New Mexico, list of orders cre- | |
| ating and modifying graz- | |
| ing districts | 1669 |
| Interstate Commerce Commission: | |
| Reconsignment permit; lettuce | |
| Kansas City, MoKans | 1671 |
| Steam railways, large and me- | |
| dium; form prescribed | 1669 |
| OFFICE OF PRICE ADMINISTRATION: | |
| Adjustments and pricing orders: | |
| Antonio Cigar Co | 1680 |
| Bishop, J. M., Mfg. Co | 1679 |
| Bond Lumber Co | 1679 |
| Chrom-O-Lifte Co | 1678 |
| Fay, J. A., and Egan Co | 1675 |
| Globe Valve Corp | 1680 |
| H & F Mill Co | 1679 |
| H & P House Furnishing Co | 1678 |
| Kranfro Mfg. Co | 1678 |
| National Brass Mfg. Co | 1682 |
| Northwestern Products | 1677 |
| Penellas Associated Indus- | |
| tries, Inc | 1677 |
| Smith, D. A., Chair Co | 1676 |
| Taylor Mfg. Co., Inc | 1676 |
| Tropical-Sun Co | 1676 |
| Waber Co | 1681 |
| Wise, J. B., Inc | 1681 |
| | |

CONTENTS—Continued

| Continued. | Page |
|---|--------|
| Hames (SR 15, Am. 36) Meats, variety, and edible by- products at wholesale (MPR | 1668 |
| Meats, variety, and edible by- | |
| products at wholesale (MPR | |
| 398. Am. 7) | 1668 |
| 398, Am. 7) Regional and district office or- | |
| ders: | |
| Community ceiling prices, list | |
| of orders filed (4 docu- | |
| ments) 1686 | 1687 |
| ments) 1686 Pennsylvania anthracite, New | , 1001 |
| Vork region | 1682 |
| York region Rubber gloves, surgeon's (Supp. Order 94, Order 25) | 1002 |
| Order 04 Order 25) | 1681 |
| Solid fuels sold and delivered by | 1001 |
| doologg (DMDD 199 Am | |
| dealers (RMPR 122, Am. | 1000 |
| Waxes, vegetable, and beeswax | 1668 |
| waxes, vegetable, and beeswax | 1000 |
| (RMPR 264, Am. 3) | 1668 |
| SECURITIES AND EXCHANGE COMMIS- | |
| SION: | |
| Hearings, etc | 4000 |
| Columbia Gas & Electric Corp | 1690 |
| Louisville Gas and Electric Co. | |
| (Del.) and Standard Gas | |
| and Electric Co | 1688 |
| United CorpSolid Fuels Administration for | 1690 |
| SOLID FUELS ADMINISTRATION FOR | |
| War: | |
| Solid fuel, direction to retail dealers in Wisconsin and | |
| dealers in Wisconsin and | |
| upper Michigan | 1665 |
| WAR FOOD ADMINISTRATION: | |
| Poultry (WFO 125) | 1662 |
| WAR PRODUCTION BOARD: | |
| Farm machinery, applications | |
| for additional analy to tale | |
| care of slippage (I-257. | |
| Dir. 6) | 1666 |
| Horsehide fronts, restriction on processing (M-310, Gen. Dir. 6) | |
| processing (M-310, Gen. | |
| Dir. 6) | 1667 |
| Trop oxide vellow (M-383 Rev. | |
| Iron oxide, yellow (M-383, Rev., M-300, Sch. 90) (2 docu- | |
| ments) | 1667 |
| ments) Istle (M-138) Scheduled products (M-293, | 1667 |
| Scheduled products (M-203 | 2001 |
| Rev. of Dir. 1 to Table 12) | 1667 |
| Tools division (M-293, Table | 1001 |
| 19) | 1666 |
| Suspension orders, etc | 1000 |
| Mario's Dross Chan | 1005 |
| Marie's Dress Shop Westfield Mfg. Co | 1665 |
| westiteta ivitg. Co | 1666 |
| | |
| | |

of War Mobilization and Reconversion. the Director of Contract Settlement, the Surplus Property Board, and the Retraining and Reemployment Administrator, and such officers and employees as they may respectively designate, to perform and exercise, as to the Office of War Mobilization and Reconversion, the Office of Contract Settlement, the Surplus Property Board, and the Retraining and Reemployment Administration. respectively, all the functions and powers vested in and granted to the Secretary of War, the Secretary of the Navy, and the Chairman of the United States Maritime Commission by such Executive order.

Franklin D Roosevelt

THE WHITE HOUSE, January 31, 1954.

[F R. Doc: 45-2254; Filed, Feb. 7, 1947; 2:54 p. m.]

EXECUTIVE ORDER 9520

DESIGNATING THE VICE CHAIRMAN OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

By virtue of and pursuant to the authority vested in me by section 10 of the Federal Reserve Act (38 Stat. 260) as amended by section 203 (b) of the act of August 23, 1935 (49 Stat. 704), I hereby designate Ronald Ransom as Vice Chairman of the Board of Governors of the Federal Reserve System, to serve for a term of four years from August 6, 1944, unless and until his services as a member of said Board shall have sooner terminated.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE, January 31, 1954.

[F. R. Doc. 45-2255; Filed, Feb. 7, 1945; 2:54 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter XI-War Food Administration (Distribution Orders)

[WFO 125]

PART 1414—POULTRY

POULTRY

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of poultry, processed poultry, eviscerated poultry, frozen poultry, and canned poultry for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national de-

§ 1414.8 Restrictions with respect to eviscerated, frozen, and canned poultry—
(a) Definitions. (1) "Processed poultry" means turkeys and chickens, without regard to age, weight, or sex, which have been killed and bled.

(2) "Eviscerated poultry" means processed poultry from which the head, shanks, entrails, or viscera have been removed, and the term "eviscerated poultry" also includes processed poultry carcasses or any edible parts thereof which have been dismembered or otherwise cut

(3) "Frozen poultry" means any processed poultry in cold storage or any eviscerated poultry in cold storage.

(4) "Canned poultry" means eviscerated poultry which has been preserved by heat, refrigeration, dehydration, smoking, pickling, or by any other method or combination of methods of preserving, and also includes eviscerated poultry or any parts thereof preserved

in combination with other foods.
(5) "Person" means any individual, partnership, association, corporation, or any organized group of persons whether

incorporated or not.

(6) "Authorized poultry eviscerator" means any person who holds a letter of authority issued to him by the Order Administrator to receive processed poul-

try for evisceration or to eviscerate said processed poultry.

(7) "Authorized poultry canner" means any person holding a letter of authority issued to him by the Order Administrator to preserve eviscerated poultry and put it in containers.

(8) "Cold storage" means equipped to be artificially cooled to a temperature of 10 degrees above zero "Fahrenheit," or below, and in which food commedities are customarily stored (but not operated as a part of an established retail food business, hotel, or other establishment where persons are housed or fed, and not including a refrigerator storage compartment, usually called a locker, having a capacity of not more than 15 cubic feet)

(9) "Director" means the Director of Marketing Services, War Food Administration.

(10) "Order Administrator" means the person designated by the Director to serve as Order Administrator pursuant to the provisions hereof.

(11) "Governmental agency" means (i) the armed forces of the United States (excluding, for the purpose of this order, United States Army post exchanges, sales commissaries, United States Navy ships' service departments, and the United States Marine Corps post exchanges), (ii) the War Food Administration (including, but not being restricted to, any corporate agency thereof), (iii) the War Shipping Administration; (iv) the Veterans' Administration; and (v) any other instrumentality or agency designated by

the War Food Administrator.
(12) "United States Army Quarter-master Market Center" means Field Headquarters, Office of Quartermaster General, 222 South Adams Street, Chicago, Illinois, or any other U.S. Army Quartermaster Market Center or U. S. Army Quartermaster Depot which said Field Headquarters may designate.

(b) Restrictions. (1) No person shall eviscerate processed poultry except as provided herein or as authorized by the Director. No person shall sell, purchase, contract to sell, contract to purchase, use, give, or deliver any eviscerated poultry, or accept delivery of any eviscerated poultry, except as provided herein or as authorized by the Director. Any authorization, as aforesaid, by the Director shall be issued only if he determines that such authorization is necessary or appropriate in the public interest and to promote the national defense.

(2) Only an authorized poultry eviscerator may eviscerate processed poultry.

(3) No authorized poultry eviscerator shall eviscerate any processed poultry except (i) in accordance with the specifications of the U.S. Army, and (ii) under the supervision of the inspectors of the Poultry Inspection Service of the Dairy and Poultry Branch, Office of Marketing Services, War Food Administration. whenever such inspection service is available to the respective eviscerator, or under the supervision of the U.S. Army Vetermary Corps.

(4) All eviscerated poultry must be set aside and held by the owner thereof, i. e., an authorized poultry eviscerator, until it is (i) purchased or rejected by the U.S. Army Quartermaster Market Center,

(ii) released by the U.S. Army Quartermaster Market Center for sale to another governmental agency, (iii) sold to or used by an authorized poultry canner, or (iv) released by the Director. Each shipment or delivery of eviscerated poultry to an authorized poultry canner or cold storage shall be accompanied by a certificate, in triplicate, filled out by the authorized poultry eviscerator in substantially the following language (with appropriate information inserted in the blank spaces)

This is to certify that ___ of eviscerated poultry hereby delivered is eviscerated poultry cet aside pursuant to the provisions of War Food Order No. 125, issued by the War Food Administrator on February 8, 1945, and such eviccerated poultry must continue to be set aside and held until disposed of in accordance with the provisions of said order.

(Signature of authorized poultry eviscerator)

This will acknowledge receipt of the above indicated quantity of eviccerated poultry cet aside pursuant to War Food Order No. 125.

(Signature of authorized poultry canner or cold storage owner or operator)

The aforesaid certificate shall be signed in triplicate by the person who accepts delivery, as aforesaid, of the eviscerated poultry, and such person shall return the original to the authorized poultry eviscerator, one copy to the U.S. Army Quartermaster Market Center, and shall retain the third copy for two years.

(5) Each owner or operator of cold storage shall, upon the request of the U. S. Army Quartermaster Market Center or the U.S. Army Veterinary Corps, make all eviscerated poultry in such cold storage, set aside or required to be set aside hereunder, available for inspection.

(6) No person shall preserve any eviscerated poultry except as specified herein or as authorized by the Director. No person shall sell, purchase, contract to sell, contract to purchase, use, give, or deliver any canned poultry, or accept delivery of any canned poultry, except as provided herein or as authorized by the Director. Any such authorization, as aforesaid, shall be issued by the Director only after he determines that such authorization is necessary or appropriate in the public interest and to promote the national defense.

(7) Only an authorized poultry canner may preserve eviscerated poultry. An authorized poultry eviscerator may, however, hold eviscerated poultry in cold storage, in accordance with (b) (4)

(8) No authorized poultry canner shall use any eviscerated poultry except (i) in the production of canned poultry in accordance with the specification of the U. S. Army, and (ii) under the supervision of the inspectors of the Poultry Inspection Service of the Dairy and Poultry Branch, Office of Marketing Services, War Food Administration, whenever such service is available, or under the supervision of the U.S. Army Veterinary Corps.

(9) All canned poultry must be set aside and held by the owner thereof, i. e., an authorized poultry canner, until it is (i) purchased or rejected by the U. S. Army Quartermaster Market Center, (ii) released by the U.S. Army Quartermaster Market Center for sale to another governmental agency, or (iii) released by the Director.

(10) No person who canned poultry in glass or tin containers during the period of two years immediately preceding the effective date hereof, owning any frozen poultry on the effective date hereof, shall sell, contract to sell, use, give, or deliver any of such frozen poultry, but shall set aside and hold all of the aforesaid frozen poultry pursuant to the provisions hereof or as may be authorized

by the Director.

(11) All frozen poultry set aside pursuant hereto must be retained by the owner thereof and held until it is (i) purchased or rejected by the U.S. Army Quartermaster Market Center, (ii) released by the U.S. Army Quartermaster Market Center for sale to another governmental agency, (iii) sold to or eviscerated by an authorized poultry eviscerator, (iv) sold to or used by an authorized poultry canner, or (v) released by the Director. Each shipment or delivery of frozen poultry to an authorized poultry canner shall be accompanied by a certificate, in triplicate, filled out by the owner of the frozen poultry in substantially the following language (with appropriate information inserted in the blank spaces).

This is to certify that This is to certify that _____ pounds of frozen poultry hereby delivered is frozen poultry cet aside pursuant to the provisions of War Food Order No. 125 issued by the War Food Administrator on February 8. 1945, and such frezen poultry must continue to be cet aside and held until it is disposed of in accordance with the provisions of said order.

(Signature of owner of frozen poultry) This will acknowledge receipt of the above indicated quantity of frozen poultry set aside pursuant to War Food Order No. 125.

(Signature of authorized poultry canner or authorized poultry eviscerator)

The aforesald certificate shall be signed in triplicate by the person who accepts delivery, as aforesaid, of the frozen poultry, and such person shall return the original to the authorized poultry eviscerator, one copy to the U.S. Army Quartermaster Market Center, and shall retain the third copy for two years.

(12) In the event of the suspension or the termination of the provisions of (b) (1) to (b) (11) hereof, all canned poultry, frozen poultry, and eviscerated poultry set aside pursuant to said provisions at the time of suspension or termination of said provisions, shall continue to be set aside and may be sold or disposed of only in accordance with (b) (4) (b) (9) and (b) (11) hereof.

(c) Authorizations. (1) Any person who desires to eviscerate poultry may apply to the Order Administrator for a letter of authorization as an authorized poultry eviscerator. Such application may be by letter, or by telegram followed by a letter of confirmation, with respect to each plant in which the applicant desires to eviscerate poultry. The application should contain (i) a statement that the applicant has read War Food Order No. 125, (ii) a statement of the location of the plant where poultry is to be eviscerated, (iii) a representation that all eviscerated poultry will be handled in accordance with the provisions of War Food Order No. 125, and (iv) a statement that the plant is on the approved list of the U.S. Army Veterinary Corps, and thereupon the Order Administrator may issue a letter of authorization to the applicant for such period of time as the Order Administrator may specify therein, to eviscerate poultry if the Order Administrator determines that the issuance of said authorization is appropriate to effectuate the provisions hereof.

(2) Any person who wishes to become an authorized poultry canner may file with the Order Administrator an application to become an authorized poultry canner. Such application may be by letter, or by telegram followed by a letter of confirmation, with respect to each plant in which the applicant desires to produce canned poultry. The application should contain (i) a statement that the applicant has read War Food Order No. 125. (ii) the location of the plant for which authorization is requested, (iii) a representation that all poultry canned by the applicant will be handled in accordance with the provisions of War Food Order No. 125, and (iv) a statement that the plant for which authorization is requested is on the approved list of the U.S. Army Veterinary Corps; and thereupon the Order Administrator may issue a letter of authorization to the applicant for such period of time as the Order Administrator may specify therein, to produce canned poultry, if he determines that the issuance of such authorization is appropriate to effectuate the provisions hereof.

(d) Exemptions. (1) The provisions of this order shall not be applicable to (i) eviscerated poultry or canned poultry used for home consumption within the household where it is eviscerated or canned; (ii) eviscerated poultry, canned poultry, or frozen poultry which has been offered for sale to the U.S. Army Quartermaster Market Center and has been rejected by such U. S. Army Quartermaster Market Center; (iii) edible viscera. and skin and fat in excess of the amounts permitted under the specifications of the U. S. Army (iv) canned poultry produced prior to the effective date hereof; and (v) a retail market, hotel, club, restaurant, cafe, cafeteria, catering establishment, boarding house, railroad diner, lunch room, sandwich diner, drug store, or any institution of voluntary or involuntary confinement (such as a hospital, sanitarium, sanitorium, asylum, or penal institution) with respect to processed poultry which is eviscerated on the premises for sale or delivery at retail for home consumption, or for direct consumption on the premises.

(2) The Director may, notwithstanding any provisions of this order, release any eviscerated poultry, frozen poultry, or canned poultry from the restrictions of this order whenever he determines that such release is necessary or appropriate in the public interest and to promote the national defense.

(e) Contracts. The restrictions of this order shall be observed without regard to contracts, oral or written, heretofore or hereafter entered into, or any rights accrued or payments made thereunder except that the provisions hereof shall not be regarded as interfering with or prohibiting the fulfillment of any contract heretofore made with respect to the sale, shipment, or delivery of processed poultry, eviscerated poultry, or frozen poultry to an authorized poultry exiscerator or an authorized poultry canner.

(f) Records and reports. (1) Each authorized poultry eviscerator and each authorized poultry canner shall keep accurate records with respect to the quantities of processed poultry used by the respective person. Each person shall also keep accurate records with respect to the quantities of eviscerated poultry and canned poultry, respectively, produced and the disposition thereof.

(2) The Director shall be entitled to obtain such additional information from, and require such additional reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(3) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate) maintain an accurate record of his transactions in eviscerated poultry and canned poultry, respectively.

and canned poultry, respectively.

(g) Audits and inspections. The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of processed poultry, frozen poultry, eviscerated poultry, and canned poultry of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of this order.

(h) Petition for relief from hardship. Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the order administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 125. Dairy and Poultry Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C. Petitions for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The order administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the order administrator on the petition, he shall obtain, by requesting the order administrator therefor, a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (h) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(i) Violations. Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using processed poultry, frozen poultry, eviscerated poultry, or canned poultry. In addition, any person who wilfully violates, any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) Delegation of authority. The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order; and one such employee shall be designated by the Director to serve as order administrator, and such other employees as may be necessary shall be designated to serve as deputy order administrators.

(k) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Order Administrator, war Food Order No. 125, Dairy and Poultry Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(1) Provisions of certain orders not applicable. The provisions hereof shall not be construed or interpreted as a modification or termination of War Food Order No. 119 (9 F.R. 14269), as amended. All persons shall comply with the provisions of War Food Order No. 119, as amended, and also comply with the provisions hereof.

(m) Territorial scope. This order shall apply only to the area included in the 48 States of the United States and the District of Columbia.

(n) Effective date. This order shall become effective at 12:01 a.m., e. w. t., February 14, 1945.

Note: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 8th day of February 1945.

Marvin Jones, War Food Administrator

[F. R. Doo. 45-2264; Filed, Feb. 8, 1945; 11:14 a. m.]

TITLE 12-BANKS AND BANKING

Chapter II—Board of Governors of the Federal Reserve System

PART 222--CONSUMER CREDIT

EXCEPTIONS; SERVICEMEN'S GUARANTEED LOANS

Effective February 5, 1945, § 222.8 (q) (9 F.R. 13193) is amended by adding "or by any State agency pursuant to similar State legislation" at the end of paragraph (q) of § 222.8 so that paragraph (q) will read as follows:

§ 222.8 Exceptions. * * *

(q) Servicemen's guaranteed loans. Any extension of credit guaranteed in whole or in part by the Administrator of Veterans' Affairs pursuant to the provisions of Title III of the Servicemen's Readjustment Act of 1944, or by any State agency pursuant to similar State legislation.

(Sec. 5 (b) 40 Stat. 415, as amended by sec. 5, 40 Stat. 966, sec. 2, 48 Stat. 1, sec. 1, 54 Stat. 179; secs. 301 and 302, 55 Stat. 839, 840; 12 U.S.C. 95 (a) and Supp., 50 U.S.C. App. 616, 617, and E.O. 8843, dated August 9, 1941)

Board of Governors of the Federal Reserve System.

[SEAL]

S. R. CARPENTER, Assistant Secretary.

[F. R. Doc. 45-2288; Filed, Feb. 8, 1945; 11:37 a. m.]

TITLE 19—CUSTOMS DUTIES Chapter I—Bureau of Customs

pter 1—Durcau or Custom

[T. D. 51188]

PART 23—ENFORCEMENT OF CUSTOMS AND NAVIGATION LAWS

BAGGAGE OF PASSENGERS FROM FOREIGN COUNTRIES

Section 23.5, Customs Regulations of 1943 (19 CFR, Cum. Supp., 23.5), is hereby amended to read as follows:

§ 23.5 Baggage of passengers from foreign countries. (a) Any article in the baggage of a passenger arriving from a foreign country which is not declared as required by § 10.20 shall be seized if it is available for seizure at the time the violation is detected and the personal penalty prescribed by section 497, Tariff Act of 1930," shall be demanded from the passenger. If the article is not seized, the Government is limited to a claim for the personal penalty against the person who imported the merchandise without declaration, since section 497 does not provide for the collection of value in lieu of seizure. Since undeclared articles are treated as smuggled, no duty shall be collected.

(b) A passenger who makes any false or fraudulent statement or is guilty of other conduct within the purview of section 592, Tariff Act of 1930, as amended, whereby a customs officer is or may be induced to pass an article free of duty under paragraph 1798 of the said act, as amended, or at less than the proper amount of duty, or who attempts to enter under the said paragraph 1798 any article which in fact does not belong to him, and a returning resident who, in connection with his return to the United States. claims the benefit of the \$100 exemption provided for in the said paragraph 1798 notwithstanding that he has taken advantage of such exemption within the 30-day period immediately preceding such return, shall be deemed to have violated the said section 592. In any such case the article involved shall be selzed, if it is available for seizure at the time the violation is detected and such seizure is otherwise practicable, unless the article is in the possession of an innocent holder for value who has full right to possession as against any party to the customs violation. If the article is not available for seizure or is in the hands of such an innocent holder, or if seizure is impracticable, the domestic value of the article, determined in accordance with section 606, Tariff Act of 1930, shall be demanded from the passenger. Whether the article is seized or the domestic value thereof is demanded in lieu of seizure, the duty estimated to be due thereon shall be demanded of the passenger as soon as possible after the discovery of the violation. (Secs. 497, 624, 46 Stat. 728, 759, sec. 592, 46 Stat. 750, sec. 304 (b) 49 Stat. 527; 19 U. S. C. 1497, 1592, 1624.)

[SEAL]

W. R. Johnson, Commissioner of Customs.

Approved: February 6, 1945.

Herbert E. Gaston,
Acting Secretary of the Treasury.

[F. R. Doc. 45-2287; Filed, Feb. 8, 1945; 11:34 a. m.]

TITLE 80-MINERAL RESOURCES

Chapter VI-Solid Fuels Administration for War

PART 602-GENERAL ORDERS AND DIRECTIVES

DIRECTION TO RETAIL DEALERS IN WISCONSIN AND UPPER PENINSULA OF LUCHICAN

Because of the shortage of manpower and trucks available to retail dealers, including commercial lake dock operators, in the State of Wisconsin and in the upper peninsula of Michigan, it is necessary, pursuant to SFAW Regulation No. 1, as amended, to issue the following direction:

Every retail dealer, including a commercial lake dock operator, in the State of Wicconsin and in the upper peninsula of Michigan, is prohibited from delivering any colid fuel which is to be used for space heating, domestic heating of water or domestic cooking to any consumer who has on hand a 15 day or more supply of usable fuels of any kind.

Every consumer, in the State of Wicconsin or in the upper peninsula of Michigan, who has on hand a 15 day or more supply of ucable fuels of any kind, is prohibited from receiving from a retail dealer, including a commercial lake dock operator, any solid fuel which is to be used for space heating, domestic heating of water or domestic cooking.

mestic heating of water or domestic cooking. To the extent that this direction is applicable to deliveries in the upper peninsula of Michigan, it supersedes the Notice of Direction Concerning Deliveries of Bituminous Coal, Anthracite, Coke, and Other Solid Fuels by Retail Dealers and Tidewater Dock Operators to Consumers in Emergency Areas, issued January 25, 1845.

This direction shall become effective immediately and remain in effect until further notice.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; WPB Directive No. 33, as amended, 9 F.R. 64; sec. 2 (a) 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827.)

Issued this 7th day of February 1945.

C. J. POTTER,

Deputy Solid Fuels

Administrator for War.

[F. R. Doc. 45-2262; Filed, Feb. 8, 1945; 10:32 a. m.]

TITLE 32-NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; EO. 5024, 7 FR. 323; EO. 9340, 7 FR. 627; EO. 9125, 7 FR. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 FR. 64.

PART 1010—SUSPENSION ORDERS [Suspension Order S-711]

MARIE'S DRESS SHOP

Marie's Dress Shop, a partnership composed of William Cohen and Marie Nemer, operates two retail stores located at 967 and 1053 Market Street, San Francisco, California. The firm sells women's ready-to-wear apparel, such as coats, suits, dresses, blouses, hosiery, sportswear and furs. The firm is a controlled merchant subject to Limitation Order L-219, and between January 1, 1944 and May 31, 1944, its mercantile inventory exceeded its inventory limit through receipt of consumers' goods having a value of more than \$55,000 in excess of its allowable receipts, in violation of Limitation Order L-219. At the beginning of the fourth calendar quarter of 1944 partial restitution in the amount of \$51,000 of excess inventory had been made by voluntary reduction in the firm's receipts of consumers goods, leaving an excess of \$14,000.00.

These excess receipts of consumers' goods have interfered with the War Production Board's allocation controls and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.711 Suspension Order No. S-711. (a) Unless hereafter specifically authorized in writing by the War Production Board, William Cohen and Mane Nemer, their successors or assigns, shall reduce the inventory of Marie's Dress Shop as defined or controlled by Order

²¹ Any article not included in the declaration and entry as made, and, before examination of the baggage was begun, not mentioned in writing by such person, if written declaration and entry was required, or orally if written declaration and entry was not required, shall be subject to forfeiture and such person shall be liable to a penalty equal to the value of such article. (Tariff Act of 1930, sec. 497; 19 U.S.C. 1497)

L-219, by September 30, 1945 in an amount of not less than the above excess of \$14,000, such reductions to be at a rate of not less than \$3,000 per calendar quarter in 1945, the balance being distributable among the first three calendar quarters of 1945, as the firm may see fit.

(b) Nothing contained in this order shall be deemed to relieve William Cohen or Marie Nemer, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 7th day of February 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F R. Doc. 45-2258; Filed, Feb. 7, 1945; 4:48 p. m.]

PART 1010—SUSPENSION ORDERS [Suspension Order S-716]

WESTFIELD MANUFACTURING CO.

Westfield Manufacturing Company is a Michigan corporation with offices at 100 West Cicotte Avenue, River Rouge, Michigan. In August 1944 the company, without permission of the War Production Board, did construction of an office addition at the above address, at an estimated cost of over \$4,000, which amount exceeded the limit of \$200 permitted by Limitation Order L-41. The officers of the company knew that there were War Production Board restrictions on construction, and doing this construction without authorization constituted a grossly negligent violation of Limitation Order L-41.

This violation of Limitation Order L-41 has diverted critical materials to uses not authorized by the War Production Board, and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.716 Suspension Order No. S-716.

(a) Neither Westfield Manufacturing Company, its successors or assigns, nor any other person, shall do any construction on the premises at 100 West Cicotte Avenue, River Rouge, Michigan, including putting up or altering the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Westfield Manufacturing Company, its successors or assigns, or any other person, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 7th day of February 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 45-2257; Filed, Feb. 7, 1945; 4:48 p. m.]

Part 1029—Farm Machinery

[Limitation Order L-257, Direction 6]

APPLICATIONS FOR ADDITIONAL QUOTA TO TAKE CARE OF SLIPPAGE

The following direction is issued pursuant to Limitation Order L-257:

- (a) What this direction does. (1) Because of shortages in manpower and certain components such as castings, it appears likely that some producers will find it impossible to make as many of some items of farm machinery and equipment by June 30, 1945, as their quotas and production schedules permit. To the extent that there is "slippage" in those schedules, the approved War Production Board programs for the particular items, as represented by Schedule B of L-257 and the Export Schedules of I-257-a, will not be met. One way to relieve this situation is to make use of any excess capacity in plants of producers who have labor available and who could make more than their quotas of these items without hurting the war effort.
- (2) This direction tells how producers may apply for more quota under these circumstances and the kinds of applications which may be approved by the War Production
- (b) How to apply. If you want to make more of any item of farm machinery and equipment than you are allowed under Order L-257 or L-257-a, even if you did not make the item in 1940 or 1941, you may apply by filing a letter in duplicate with your local WPB Field Office. A separate letter should be filed for each item you want to make, and should show answers to the following questions:

(1) How many of the item do you want to make in addition to your quota?

(2) Are you up to schedule on the item? If you have not made the item before, do you have adequate facilities and manpower to make it (see reference to Form WPB-3820 below)?

(3) Can you make the additional quantities of the item in time for seasonal use by farmers before June 30, 1945 without interfering with any of your other production?

(4) If you will need malleable or grey iron castings to make the item, will you be able to get them on an AA-2 rating? What is your source of supply (including alternate sources, if any)?

If you need allotments of controlled materials you should accompany your application with Form CMP-4B, tegether with Form WPB-3820 on manpower requirements unless exempted under section 1A of CMP-4B. If you are applying for several items in one or more CMP product codes, you should file only one set of Form CMP-4B for each product code. Show in Section II of the form the item number or numbers covered by it, in accordance with the numbering in Schedule B of Order I-257.

(c) Standards in granting applications. In its consideration of applications properly filed as indicated above, the War Production Board will first see whether there is slippage in the approved program for the particular item by other producers. If so, the application may be granted up to the amount of the slippage under the following standards and conditions:

(1) "Small plants" will have first consideration. In general, a small plant is one with 100 production workers or less (50 or less on the West Coast).

(2) Ordinarily, no upratings above the program rating of AA-2 will be authorized for production materials.

If no slippage is evident in the item, the application will be kept on file for consideration if and when slippage occurs.

Note: The reporting requirements in this direction have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of February 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doo. 45-2282; Filed, Feb. 8, 1945; 11:27 a. m.]

PART 3208—SCHEDULED PRODUCTS [General Scheduling Order M-293, Table 12, as Amended Feb. 8, 1945]

TOOLS DIVISION

§ 3208.13 Table for Tools Division.
(a) The following table is issued pursuant to the provisions of General Scheduling Order M-293:

| | | | Applicable forms | columns | |
|---|-------------|------------------------------|---|--|------------------------------|
| There of M. 000 minduck | Desig- | 1 | 2 | 3 | 4 |
| Type of M-293 product | nation | Opera- tions report | Shipping schedule | Applica- tion and authori- zation | Calendar months frozen |
| 1. Bearings, anti-friction: (Note: Anti-friction bearings are exempt from the special reporting provisions of paragraph (f) of Order M-293. Users of Miniature Precision Bearings numbers 2, 2½, 3, 4, 5, NM 4 or NM 5 are subject to the provisions of Direction 2 to Table 12.) 2. Chain, excluding stud link, anchor and power trans- | , | 1314 | | 4004004440 | Lancadood |
| mission: (a) 9/6" (purchase orders for 2000 pounds or more) (b) 96" (purchase orders for 2000 pounds or more) (c) 34" (purchase orders for 2000 pounds or more) (d) Military truck tire chans and parts | X X X | 2064 2064 2064 2064 | 3001.57 3001.57 3001.67 3001.67 3809.5 | | 1 1 1 |
| 8. Cranes and monoral systems: (a) Overhead travelling cranes with double I beams. (b) Rotary cranes, including Whirley, revolving, and portal cranes. | | 1047 | 1313 and 1313-A | | 4 |
| (c) Locomotive cranes. (d) Gantry cranes. (e) Monorall systems for motor driven cranes and carriers. | | 1047 1047 1047 | 1313 and 1313-A 1313 and 1313-A 1313 and 1313-A | | 4 4 |
| (g) Manipulators | | 1047 1047 | 1313 and 1313-A 1313 and 1313-A | | 4 |

Note: For explanation of period for which schedule is frozen, see paragraph (c) (3) of M-293. Form WPB-3003 or WPB-3401 may be used in place of the shipping schedule forms indicated in column 2.

Issued this 8th day of February 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 45-2284; Filed, Feb. 8, 1945; 11:27 a. m.]

PART 3208-SCHEDULED PRODUCTS [General Scheduling Order M-293, Revocation of Direction 1 to Table 12]

Direction 1 to Table 12 of General Scheduling Order M-293 is hereby revoked.

This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said Direction 1.

Issued this 8th day of February 1945.

WAR PRODUCTION BOARD. By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 45-2285; Filed, Feb. 8, 1945; 11:27 a. m.]

PART 3290-TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-138, as Amended Feb. 8, 1945]

Section 3290.261 Conservation Order M-138 is amended to read as follows:

§ 3290.261 Conservation Order M-138—(a) Definition. For the purpose of this order:

"Istle" means raw unprocessed pita and palma istle of the grade "fair average quality" only.

(b) Reports. (1) All processors and owners of istle, having- 500 pounds or more at any time during a calendar month, shall file a report monthly, not later than the tenth day of the following month, on Form WPB-914. This reporting requirement of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports

(2) All reports required to be filed under, and all communications concerning this order, shall be addressed to the War Production Board, Textile, Clothing & Leather Bureau, Washington 25, D. C., Ref: M-138.

Act of 1942.

(c) Applicability of regulations. This order and all transactions affected hereby are subject to all applicable War regulations, Production Board amended from time to time.

(d) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order. wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using materials under priority control and may be deprived of priorities assistance.

Issued this 8th day of February 1945.

WAR PRODUCTION BOARD. J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 45-2283; Filed, Feb. 8, 1945; 11:27 a. m.]

PART 3290-TEXTILES, CLOTHING AND LEATHER

[General Conservation Order M-310, Gen. Direction 6, as Amended Feb. 8, 1945]

RESTRICTION ON PROCESSING OF HORSEHIDE FRONTS

The following amended direction is issued pursuant to Conservation Order M-310:

Effective July 1, 1944, and until further notice, no tanner shall put into process for his own account or the account of others, and no converter shall cause to be put into process for his account, in any calendar quarter, more than 300% of his monthly average of wet salted horsehide fronts put into process for his own account or the account of others, or caused to be put into process for his account, during the year ending June 30, 1942. However, any tanner may put into process for his own account or for the account of others and any converter may cause to be put into process for his account any foreign wet salted horsehide fronts allocated to him in place of foreign dry homehide fronts.

This direction does not apply to horcehide fronts put into process to fill military orders for white alum hard baseball leather.

This direction shall expire on March 31, 1945 unless previously extended.

Issued this 8th day of February 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAII, Recording Secretary.

[F. R. Doc. 45-2281; Filed, Feb. 8, 1945; 11:27 a. m.]

> PART 3293—CHEMICALS [General Allocation Order M-300, Schedule 90]

YELLOW IRON OXIDE

§ 3293.1090 Schedule 90 to General Allocation Order M-300—(a) Definition. "Yellow iron oxide" means a synthetic hydrated yellow iron oxide pigment.

(b) General provisions. Yellow iron oxide is subject to allocation under General Allocation Order M-300 as an Appendix A material. The initial allocation date is March 1, 1945. The allocation period is the calendar month and the small order exemption is 50 pounds per person per month.

(c) Special interim provisions. The yellow iron oxide Order M-383 will remain in effect through but not after February 28, 1945.

(d) Suppliers' applications on WPB-2946. Each supplier seeking authorization to deliver shall file application on Form WPB-2946 (formerly PD-601). Filing date is the 20th day of the month before the requested allocation month. File separate sets of forms for each commercial grade. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-90. The unit of measure is pounds. An aggregate quantity may be requested, without specifying customers' names, for delivery on exempt small orders. Fill in Table II.

(e) Customers' applications on Form WPB-2945. Each person seeking authorization to use or accept delivery shall file application on Form WPB-2945 (formerly PD-600) Filing date is the 15th day of the month before the requested allocation month. File separate sets of forms for each supplier and for each commercial grade. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-90, and one copy (reverse side blank) to the supplier. The unit of measure is pounds. In the case of requests for use in protective coatings, fill in Columns 3 and 4 in accordance with WPBI-217 (Primary Products and End Use List for the Protective Coatings Industry). In the case of requests for use in coatings for military cotton duck, as well as for all direct military procurement of coatings, applicable military contract and specification numbers must be specified in Column 4. In the case of requests for use in military coatings for indirect military requirements (other than cotton duck) state specification numbers and specify whether for orders on hand or for anticipated orders. In the case of direct or indirect Lend-Lease requirements specify Lend-Lease contract and requisition number. In the case of requests for other purposes, specify the primary product or specify resale or export of yellow iron oxide as such in Column 3, and specify end use in Column 4 in accordance with paragraph (11-a) of Appendix E of Order M-300. Fill in other columns of Table I, and fill in Tables II and III, as indicated. Leave Tables IV and V blank.

(f) Budget Bureau approval. The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(g) Communications to War Production Board. Communications concerning this schedule shall be addressed to War Production Board, Chemicals Bu-reau, Washington 25, D. C., Ref: M-300-90.

Issued this 8th day of February 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 45-2286; Filed, Feb. 8, 1945; 11:27 a. m.]

PART 3293—CHERICALS [Limitation Order M-383, Revocation] YELLOW IRON OFIDE

Section 3293.636 Limitation Order M-383 is revoked, effective after February 28, 1945. This revocation does not affect any liabilities incurred under the order.

Yellow iron oxide is subject to allocation under General Allocation Order M-300 as an Appendix A material, subject to Schedule 90, issued simultaneously with this revocation. The initial allocation date is March 1, 1945.

Issued this 8th day of February 1945.

War Production Board, By J. Joseph Whelan, Recording Secretary.

[F R. Doc. 45-2280; Filed, Feb. 8, 1945; 11:28 a. m.]

Chapter XI—Office of Price Administration

PART 1340—FUEL [RMPR 122, Amdt. 29]

SOLID FUELS SOLD AND DELIVERED BY DEALERS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In § 1340.254, new paragraph (e) is added to read as follows:

(e) The maximum price rules for one ton deliveries ordered by the Solid Fuels Administration for War.

Rule 9. A dealer making deliveries of solid fuels to consumers in one-ton lots pursuant to directives issued by Solid Fuels Administration for War may establish his maximum price for such delivery by taking his maximum price per ton for the delivery of the same fuel in two-ton quantities and adding thereto no more than 25 cents.

If a dealer's established maximum price

If a dealer's established maximum price for deliveries of solid fuels to domestic consumers in one-ton lots is greater than the maximum price for such deliveries computed under this Rule 9, he may charge his customary price.

This amendment shall become effective February 8, 1945.

Issued this 8th day of February 1945.

CHESTER BOWLES,
Administrator

For the reasons set forth in the accompanying Statement of Considerations, and by virtue of the authority vested in me by the Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this amendment to Maximum Price Regulation No. 120 is necessary to aid in the effective prosecution of the war.

FRED M. VINSON, Economic Stabilization Director

[F. R. Doc. 45-2290; Filed, Feb. 8, 1945; 11:33 a. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 398,2 Amdt. 7]

VARIETY MEATS AND EDIBLE BY-PRODUCTS AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Maximum Price Regulation No. 398 is amended in the following respects:

- 1. Paragraph (b) (4) is added to section 14 to read as follows:
- (4) For delivery to the armed forces of livers specially selected and individually wrapped in accordance with Army Specifications, \$1.00 per hundredweight.
- 2. The definitions of "Livers, beef, unblemished" "Livers, calf, overweight" and "Livers, veal or calf, unblemished" appearing in alphabetical order in section 16 (b) are amended to read as follows:

"Livers, beef, unblemished" means all beef livers (obtained from the slaughter of cattle) of any weight, and all veal livers (obtained from the slaughter of calves) weighing more than 7½ pounds, bright and uniform in color, from light to chocolate brown, moderately short and plump and which are free from all mufilations other than minor cuts or slight skin breaks caused by the removal of the gall bladder, by separating the liver from the carcass, by hooks, or caused during the examination of the portal glands by MID inspectors, where such minor cuts or slight skin breaks do not impair the quality of the liver. The large blood vessel lying along the side of the liver should be trimmed even with the surface of the liver.

"Livers, calf, overweight" means all veal livers (obtained from the slaughter of calves) weighing more than 5½ pounds, but not more than 7½ pounds, bright and uniform in color, from light to chocolate brown, moderately short and plump and which are free from all mutilations other than minor cuts or slight skin breaks caused by the removal of the gall bladder, by separating the liver from the carcass, by hooks, or caused during the examination of the portal glands by M I D inspectors, where such minor cuts or slight skin breaks do not impair the quality of the liver. The large blood vessel lying along the side of the liver shall be trimmed even with the surface of the liver.

"Lavers, veal or calf, unblemished" means all veal livers (obtained from the slaughter of calves) weighing not more than 5½ pounds, bright and uniform in color, from light to chocolate brown, moderately short and plump and which are free from all mutilations other than minor cuts or slight skin breaks caused by the removal of the gall bladder, by separating the liver from the carcass, by hooks, or caused during the examination of the portal glands by MID inspectors, where such minor cuts or slight skin breaks do not impair the quality of the liver. The large blood vessel lying along the side of the liver shall be trimmed even with the surface of the liver.

3. The definition of "Tongues, beef" appearing in alphabetical order in section 16 (b) is amended by the addition of the following sentence.

"Tongues, beef" when cured, shall not exceed the green weight by more than 10%, when smoked, shall not exceed the green weight,

This amendment shall become effective February 8, 1945.

Issued this 8th day of February 1945.

CHESTER BOWLES, Administrator

[F R. Doc. 45-2291; Filed, Feb. 8, 1945; 11:35 a. m.]

PART 1415—PROTECTIVE COATINGS [RMPR 264,1 Amdt. 3]

VEGETABLE WAXES AND BEESWAX

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 264 is amended in the following respects:

- 1. By adding the following new paragraph to section 7:
- (c) Every person purchasing vegetable wax or beeswax for importation into this country who pays the additional inland or coastwise freight charges involved in shipment from a more distant ocean port of origin and permitted by Appendix A (a) hereof, shall within two weeks after such purchase is made submit to the Rubber, Chemicals and Drugs Price Branch, Office of Price Administration, Washington, D. C., a report containing the following information:
 - (1) Type of vegetable wax or beeswax
 - (2) Quantity purchased and price
- (3) Inland point of shipment
- (4) Normal ocean port of origin and freight thereto
- (5) Actual ocean port of origin and freight thereto via cheapest route
- (6) Reason why normal ocean port was not used.
- 2. By adding the following sentence at the end of the first paragraph of Appendix A (a)

Payment of additional charges in excess of that permitted by this paragraph or failure to file the report called for by section 7 (c) hereof shall constitute a violation of this regulation and section 4 of the Emergency Price Control Act of 1942, as amended.

This amendment shall become effective February 13, 1945.

Note: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 8th day of February 1945.

CHESTER BOWLES, Administrator

[F. R. Doc. 45-2289; Filed, Feb. 8, 1945; 11:35 a. m.]

PART 1499—COMMODITIES AND SERVICES [SR 15, Amdt. 36]

HAMES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

^{*}Copies may be obtained from the Office of Price Administration.

¹9 F.R. 2128, 2477, 3966, 4438.

^{*8} F.R. 6945, 7357.

¹9 F.R. 5956.

has been filed with the Division of the Federal Register.*

Section 1499.75 (a) (21) is added to read as follows:

(21) Hames—(i) Who may apply. Any manufacturer required to produce hames by Direction of the War Production Board, issued pursuant to Limitation Order Li-257, may apply for an adjustment of his existing maximum prices for hames. Such application will be granted if it is found by the Office of Price Administration that:

(a) Such existing maximum prices are lower than the applicant's total unit cost of making and selling the hames; or

(b) Lower than 102% of such cost, if applicant's current net dollar profits per annum, before payment of income taxes, realized from his total operations are less than double the average annual net dollar profits, before payment of income taxes, realized from his total operations during the years 1936–1939, inclusive.

(ii) Amount of adjustment. Any adjustment made will establish the following maximum prices for hames:

(a) A price equal to the total unit cost of manufacturing and selling the hames, if the manufacturer's current net dollar profits per annum, before payment of income taxes, realized from his total operations are equal to or greater than double the average annual net dollar-profits, before payment of income taxes, realized from his total operations during the years 1936–1939, inclusive.

(b) A price equal to the total unit cost of manufacturing and selling the hames, plus 2% of such cost, if the manufacturer's current net dollar profits per annum, before payment of income taxes, realized from his total operations are less than double the average annual net dollar profits, before payment of income taxes, realized from his total operations during the years 1936–1939, inclusive.

(iii) Filing of applications. Applications may be made by filing a letter in duplicate with the Secretary, Office of Price Administration, Washington 25, D. C., referring to the Direction of the War Production Board and stating that the manufacturer is entitled to relief under the provisions of this subdivision.

The Office of Price Administration may also adjust the maximum prices of purchasers for resale.

This amendment shall become effective February 13, 1945.

Issued this 8th day of February 1945.

CHESTER BOWLES,
Administrator.

For the reasons set forth in the accompanying statement of considerations, and by virtue of the authority vested in me by the Emergency Price Control Act of .1942, as amended, and Executive Orders Nos. 9250 and 9328; I find that the issuance of this amendment is necessary to aid in the effective prosecution of the war. The Office of Price Administration is authorized without further approval or special clearance from this office to

issue adjustments pursuant to the provisions of this amendment.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 45-2292; Filed, Feb. 8, 1945; 11:35 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter III-Division of Grazing

PART 502—LIST OF ORDERS CREATING AND MODIFYING GRAZING DISTRICTS

NEW LIEXICO

By virtue of and pursuant to the provisions of the act of June 28, 1934 (48 Stat. 1269) as amended by the act of June 26, 1936 (49 Stat. 1976) Departmental order of September 1, 1939 establishing Grazing District No. 7 and order of September 1, 1939 placing under the Commissioner of Indian Affairs administration over approximately 235,060 acres of certain land, reconveyed to the United States by the Santa Fe Pacific Railroad Company pursuant to the act of March 3, 1921 (41 Stat. 1239) be, and they are, hereby modified to exclude therefrom Sections 1, 13, 24 and 25, Township 18 North, Range 12 West, N. M. P. M., New Mexico, for the purpose of enabling the State of New Mexico to complete its selection covering these lands and in the event the State authorities are unable to perfect such selection this order shall be of no effect and the lands shall remain subject to the provisions of the existing Departmental orders of September 1, 1939, referred to.

> OSCAR L. CHAPMAN, Assistant Secretary.

FEBRUARY 3, 1945.

[F. R. Doc. 45-2303; Filed, Feb. 8, 1945; 11:25 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

FORM FOR LARGE AND MEDIUM STEAM RAILWAYS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 2d day of February, A. D. 1945.

The matter of annual reports from steam railway companies and switching and terminal companies of Class I and Class II being under consideration:

It is ordered, That the order dated December 18, 1943, In the Matter of Annual Reports from Steam Railway Companies and Switching and Terminal Companies of Class I and Class II (49 OFR, 120.11), be and it is hereby vacated and set aside, effective January 1, 1945, and the following order shall become effective:

§ 120.11 Form prescribed for large and medium steam railways. All steam railway companies and switching and terminal companies of Class I and Class II subject to the provisions of section 20, Part I, of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31. 1944, and for each succeeding year until further order in accordance with Annual Report Form A 1 (Large and Medium Steam Roads and Switching and Terminal Companies), which is hereby approved and made a part of this order. The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before March 31, of the year following the one to which it relates. (24 Stat. 386, 34 Stat. 593, 35 Stat. 649, 36 Stat. 556, 41 Stat. 493, 54 Stat. 916; 49 U.S.C. 20 (1)-(8))

By the Commission, Division 1.

[SEAL]

W. P. BARTEL, Secretary.

[P. R. Doc. 45-2279; Filed, Feb. 8, 1945; 11:19 a.m.]

Notices

FEDERAL COMMUNICATIONS COMMISSION.

[Docket Nos. 6169, 6170, 6171; File Nos. B2-P-3218, B2-P-3221, B2-P-3222]

CENTRAL BROADCASTING CO., ET AL.

ORDER SUPPLEMENTING ISSUES

In re applications of Central Broadcasting Company, Wilkes-Barre, Pennsylvania; Docket No. 6169, File No. B2-P-3218; Northeastern Pennsylvania Broadcasters, Inc., Wilkes-Barre, Pennsylvania; Docket No. 6170, File No. B2-P-3221; Kay Broadcasters, Inc., Wilkes-Barre, Pennsylvania; Docket No. 6171, File No. B2-P-3222. For construction permits.

The Commission having under consideration a petition filed January 20, 1945, by John H. Stenger, Jr., Wilkes-Barre, Pennsylvania, whose application for regular broadcast station license (File No. B2-I-1810, Docket No. 6723) has been designated for a hearing in a consolidated proceeding with the above-entitled applications, to amend hearing issues in each of the above-entitled matters in the light of the Commission's supplemental statement of policy of January 16, 1945, so as to add the following:

To determine whether the above-entiled applications for construction permits comply with the Commission's Supplemental Statement of Policy dated January 16, 1945, concerning applications for permits to construct new radio stations,

It is ordered, This 26th day of January 1945, that the petition be, and it is hereby, granted, and said requested issue be, and it is hereby, added to the

^{*}Copies may be obtained from the Office of Price Administration.

¹Filed as part of the original document.

hearing issues heretofore published in each of the above-entitled matters.

By the Commission, Ray C. Wakefield, Commissioner.

[SEAL]

T. J. Slowie, Secretary.

[F R. Doc. 45-2256; Filed, Feb. 7, 1945; 4:37 p. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5273]

PHILLIPS SALES Co., INC., AND HAAS-GUTHMAN Co.

NOTICE OF HEARING

In the matter of Phillips Sales Company, Inc., a corporation, and Max E. Guthman and Aaron Guthmán, copartners doing business as Haas-Guthman Company.

Complaint. The Federal Trade Commission, having reason to believe that the parties respondent named in the caption hereof, and hereinafter more particularly designated and described, since June 19, 1936, have violated and are now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issued its complaint, stating its charges with respect thereto as follows:

PARAGRAPH 1. Respondent Phillips Sales Company, Inc., is a corporation organized and existing under and by virtue of the laws of the State of Maryland, with its principal office and place of business located at 33 Race Street, Cambridge, Maryland. The respondent Phillips Sales Company, Inc., since June 19, 1936, has been and is now engaged in the business of selling and distributing canned vegetables, canned meats and other food products (all of which are hereinafter designated as "food commodities") in its own name and for its own account. This respondent is hereinafter designated as the "respondent seller."

PAR. 2. The respondent seller sells and distributes its food commodities by two separate and distinct methods. The first and principal method is by utilizing intermediaries or food brokers who act as respondent seller's agents in negotiating the sale of respondent seller's food commodities at respondent seller's prices and on respondent seller's terms, and for which service to the respondent seller such intermediaries or food brokers are paid commission or brokerage fees. The second method utilized by the respondent seller is by the direct sale of substantial quantities of its food commodities directly to buyers, representative of whom is Haas-Guthman Company to whom respondent seller pays, directly or indirectly, commissions or brokerage fees on such buyer's purchases of respondent seller's food commodities which are purchased by said buyers in their own name and for their own account.

PAR. 3. Respondents Max E. Guthman and Aaron Guthman are copartners, doing business under the name and style of Haas-Guthman Company, which firm

is located at 601 West Hull Street, Savannah, Georgia. The respondents Max E. Guthman and Aaron Guthman are hereinafter referred to as "respondent buyer." The respondent buyer since June 19, 1936, has been and is now engaged principally in the business of buying food commodities for resale and selling such commodities in its own name and for its own account.

The respondent buyer in some instances, but to a lesser degree, also acts as an intermediary or broker for certain sellers of food commodities for whom respondent buyer negotiates the sale of such sellers' products at such sellers' prices and such sellers' terms.

Par. 4. Respondent buyer in the course and conduct of its said business since June 19, 1936, has purchased a substantial portion of its food commodities from Phillips Sales Company, Inc., which firm is located in a state other than the state in which respondent buyer is located, and as a result of respondent buyer's orders and instructions such food commodities have been shipped and transported across state lines by respondent seller to said respondent buyer. The respondent buyer's purchases from the respondent seller since June 19, 1936, are representative of the respondent buyer's purchases of food commodities from numerous other interstate sellers, upon which purchases respondent buyer has also received commissions or brokerage fees.

PAR. 5. Respondent seller, Phillips Sales Company, Inc., since June 19, 1936, in connection with the sale of its food commodities in interstate commerce to respondent buyer, Haas-Guthman Company, for its own account for resale as hereinbefore set forth, has transmitted, paid and delivered, and does transmit, pay and deliver, directly or indirectly, to said respondent buyer for its own account commissions, brokerage fees or other compensation or allowances in lieu thereof in substantial amounts, and respondent buyer, Haas-Guthman Company, since June 19, 1936, has received and accepted and is now receiving and accepting commissions, brokerage fees and other compensation or allowances in lieu thereof in connection with said respondent buyer's interstate purchases of food commodities from respondent seller and from other interstate sellers from whom respondent buyer purchases and has purchased food commodities in its own name and for its own account for resale.

Par. 6. The foregoing acts of respondent seller, Phillips Sales Company, Inc., in granting or paying commissions or brokerage fees on its sales of food commodities to respondent buyer, Haas-Guthman Company, and the foregoing acts of respondent buyer, Haas-Guthman Company, in receiving or accepting commissions or brokerage fees on its purchases of food commodities from respondent seller, Phillips Sales Company, Inc., and from other interstate sellers are in violation of subsection (c) of section 2 of the Clayton Act as amended.

Wherefore, the premises considered, the Federal Trade Commission on this 3d day of February, A. D. 1945, issues its complaint against said respondents.

Notice. Notice is hereby given you, Phillips Sales Company, Inc., a corporation, and Max E. Guthman and Aaron Guthman, copartners, doing business as Haas-Guthman Company, respondents herein, that the 9th day of March, A. D. 1945 at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charge set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that re-respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 3d day of February, A. D. 1945.

By the Commission.

[SEAL] OTIS B. JOHNSON, Secretary.

[F. R. Doc. 45-2263; Filed, Feb. 8, 1945; 10:57 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 868]

RECONSIGNMENT OF LETTUCE AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, February 5, 1945, by F. J. McCann & Son, of car PFE 35296, lettuce, now on the M. K. T. to Benner Tea Company, Burlington, Iowa (R. I.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of February 1945.

V. C. CLINGER, Director, Bureau of Service.

[F. R. Doc. 45-2278; Filed, Feb. 9, 1945; 11:19 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4560] Roman H. Heyn

In re: Estate of Roman H. Heyn, deceased; File No. D-28-3976; E. T. sec. 6893.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Oskar Heyn, the issue of Oskar Heyn, whose names are unknown, Cornel Heyn, the issue of Cornel Heyn, whose names are unknown, Heinrich Heyn, the issue of Heinrich Heyn, whose names are unknown, Beata Heyn-Miller and the issue of Beata Heyn-Muller, whose names are unknown, and each of them, in and to the Estate of Roman H. Heyn, deceased and the Trust under the Will of Roman H. Heyn, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Oskar Heyn, Germany.

The issue of Oskar Heyn, whose names are

unknown, Germany. Cornel Heyn, Germany.

The issue of Cornel Heyn, whose names are unknown, Germany.

Heinrich Heyn, Germany.

The issue of Heinrich Heyn, whose names are unknown, Germany.

Beata Heyn-Muller, Germany.
The issue of Beata Heyn-Muller, whose names are unknown, Germany.

That such property is in the process of administration by The South Norwalk Trust Company and Gertrude Hotchkies Heyn, as Co-executors and Trustees, acting under the judicial supervision of the Court of Probate, District of Westport. State of Connecticut:

District of Westport, State of Connecticut;
And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 29, 1945.

[SEAL] JAMES E. MARKHAM, Alien Property Custodian.

[F. R. Doc. 45-2265; Filed, Feb. 8, 1945; 11:01 n.m.]

[Vesting Order 4581] AUGUSTE MAERTZ

In re: Estate of Auguste Maertz, deceased; D-28-9301; E. T. sec. 12255.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Trautchen Meyer in and to the Estate of Auguste Maertz, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Trautchen Mever, Germany,

That such property is in the process of administration by Paul Holekamp, as Administrator C. T. A., acting under the judicial supervision of the County Court, Kendall County, Texas:

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such percon be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9055, as amended.

Executed at Washington, D. C., on January 29, 1945.

[SEAL] JAMES E. MARKHAM, Allen Property Custodian.

[P. R. Doc. 45-2223; Filed, Feb. 8, 1945; 11:01 a. m.]

[Vesting Order 4562]

HEDWIG H. MCCULLOUGH

In re: Estate of Hedwig H. McCullough, deceased; file D-23-9184; E.T. sec. 11865.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mathilde Janke

and Margarete Pfuglmann, and each of them, in and to the Estate of Hedwig H. McCullough,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mathilde Janke, Danzig. Margarete Pfuglmann, Germany.

That such property is in the process of administration by Ziegler Z. Cope, as Administrator of the Estate of Hedwig H. Mc-Cullough, acting under the judicial supervision of the Orphans' Court of Montgomery County, Pennsylvania; And determining that

Mathilde Janke, a citizen or subject of a designated enemy country, Germany, and within an enemy occupied area, Danzig, is a national of a designated enemy country (Germany);

To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany):

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national in-

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 29, 1945.

[SEAL] JAMES E. MARKHAM. Alien Property Custodian.

[F R. Doc. 45-2267; Filed, Feb. 8, 1945; 11:01 a. m.]

> [Vesting Order 4563] ALFRED MEINERT

In re: Estate of Alfred Meinert, deceased; File D-28-4345; E. T. sec. 7440.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Max Meinert, Rudolph Meinert and Martha Dolling, and each of them, in and to the estate of Alfred Meinert, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Max Meinert, Germany. Rudolph Meinert, Germany. Martha Dolling, Germany.

That such property is in the process of administration by Susanne Meinert, 2541 Hutchinson Street, Chicago, Illinois, as Administratrix of the estate of Alfred Meinert. deceased, acting under the judicial supervision of the Probate Court of Cook County, Illinois:

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or

right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 29, 1945.

James E. Markham, [SEAL] Alien Property Custodian.

[F. R. Doc. 45-2268; Filed, Feb. 8, 1945; 11.01 a. m.]

> [Vesting Order 4564] JOHN MILOS

In re: Estate of John Milos, deceased: File D-57-67; E. T. sec. 3681.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Traian Milos and Nicolae Milos, and each of them, in and to the estate of John Milos, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Rumania, namely,

Nationals and Last Known Address

Traian Milos, Rumania. Nicolae Milos, Rumania.

That such property is in the process of administration by Tony Sakosan, 211 East Clifton Avenue, Cincinnati, Ohio, as executor of the estate of John Milos, deceased, acting under the judicial supervision of the Probate Court of Hamilton County, Ohio;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national in-terest of the United States requires that such persons be treated as nationals of a designated enemy country, (Rumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may within one year from the date hereof, or within such further time as may be allowed, file with the Allen Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 29, 1945.

[SEAL] James E. Markham, Alien Property Custodian.

[F. R. Doc. 45-2269; Filed, Feb. 8, 1945; 11:02 a. m.]

> [Vesting Order 4565] SADAHARU NAITO

In re: Estate of Sadaharu Naito, deceased; File F-39-2300; E. T. sec. 11255.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: (a) All right, title, interest and claim of any kind or character whatsoever of Shinji Naito, Shizue Naito and Fusoko Okaniwa, and each of them, in and to the Estate of Sadaharu Naito, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

Nationals and Last Known Address

Shinji Naito, Japan. Shizue Naito, Japan. Fusoko Okaniwa, Japan.

That the property described as follows:

(b) All right, title, interest and claim of any kind or character whatsoever of any agency or instrumentality, name unknown, of a designated enemy country, Japan, in and to the Estate of Sadaharu Naito, deceased, pursuant to Paragraph Ninth of the will of Sadaharu Naito, deceased,

is property payable or deliverable to, or claimed by, an agency or instrumentality, name unknown, of a designated enemy country, Japan, That the property described in sub-para-

graphs (a) and (b) herein is property in the process of administration by the Doylestown Trust Company, as Administrator c. t. a. of the Estate of Sadaharu Naito, acting under the judicial supervision of the Orphans' Court of Bucks County, Pennsyl-

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated country, (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 29, 1945.

[SEAL] JAMES E. MARKHAZI, Alien Property Custodian.

[F. R. Doc. 45-2270; Filed, Feb. 8, 1945; 11:02 a.m.]

[Supp. Vesting Order 4567]

LUDWIG NISSEN

In re: Trust under the will of Ludwig Nissen, deceased; File No. D-28-2130; E. T. sec. 2727.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of \$563.96 representing accumulated income unpaid to Henrietta Ingwercen, deceased, as beneficiary of a trust established under subparagraph E of paragraph Sixth of the will of Ludwig Niccen, together with any and all additions of income thereto,

property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Fritz Ingwersen, Germany, Marie Louise Pemceller, Germany, Carl Ingwersen, Germany. Marie Caroline Frieda Ingwercen, Germany. Katle Ingwersen Koch, Germany.

Hans Jonas Ingwersen, Germany. Personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Henrietta Ingwercen, deceased,

That such property is in the process of administration by Bankers Trust Company, 16 Wall Street, New York, New York, Ferdinand W. Lafrentz, 100 Broadway, New York, New York, acting as surviving trustees, and Walter Eitelbach, 608 Fifth Avenue, New York, New York, acting as substituted trustee, under the Will of Ludwig Nicsen, deceased, acting under the judicial supervision of the Surrogate's Court, Kings County, State of New

And determining that to the extent that such nationals are percons not within a designated enemy country, the national interest of the United States requires that such person be treated as nationals of a desig-

nated enemy country, (Germany);
And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United

Such property and any or all of the proceeds thereof shall be held in an appriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 29, 1945.

[SEAL] JAMES E. MARKHAM. Alien Property Custodian.

[F. R. Doc. 45-2271; Filed, Feb. 8, 1945; 11:02 a. m.]

[Vesting Order 4563]

JOHN PECHAR

In re: Trust under the will of John Pechar, deceased; File No. D-28-6547; E. T. sec. 5291.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mrs. Antonic (Antonie) Pechar and Johann Robert Pechar, or his iccue, and each of them, in and to the trust established under the Will of John Pechar, deceased.

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Mrs. Antonic (Antonie) Pechar, Germany

(Austria).
Johann Robert Fechar, or his issue, Germany (Austria).

That such property is in the process of administration by Irving Trust Company, Trustee, acting under the judicial super-vision of the Surrogate's Court, New York

County, State of New York;
And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such percons be treated as nationals of a designated

enemy country, Germany;
And having made all determinations and taken all action required by law, including appropriate concultation and certification, and deeming it necessary in the national in-

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 29, 1945.

James E. Markham, Alien Property Custodian.

[F. R. Doc. 45-2272; Filed, Feb. 8, 1945; 11:02 a. m.]

[Vesting Order 4570]

August Peterman

In re: Estate of August Peterman, deceased; file D-28-9067; E.T. sec. 11577)

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Emelie Gape in and to the Estate of August Peterman, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address Emelie Gape, Germany.

That such property is in the process of administration by Herbert J. Friedl, as Executor of the Estate of August Peterman, acting under the judicial supervision of the District Court of the Seventeenth Judicial District of the State of Montana, in and for the County of Valley.

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Prop-

erty Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 29, 1945.

[SEAL] JAMES E. MARKHAM, Alien Property Custodian.

[F. R. Doc. 45-2273; Filed, Feb. 8, 1945; 11:02 a. m.]

[Vesting Order 4571]

FRANZ AUGUST JOHANN'SCHULZE

In re: Trusts under the will of Franz August Johann Schulze, also known as Gustav Schulze, deceased; File D-28-9096; E. T. sec. 11700.

Under the authority of the Trading With the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Herbert Schwarz, Emilie Ribbe, Helene Goltermann, Johann Schulze, Margarete Schulze and Ellie Grossnick, and each of them, in and to the trusts established under the will of Franz August Johann Schulze, also known as Gustav Schulze, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address Herbert Schwarz, Germany (Austria). Emilie Ribbe, Germany. Helene Goltermann, Germany. Johann Schulze, Germany. Margarete Schulze, Germany. Eilie Grossnick, Germany.

That such property is in the process of administration by the National Savings and Trusts Company, as Executor and Trustee, acting under the judicial supervision of the District Court of the United States for the District of Columbia;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim. The terms "national" and "designated

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9095, as amended.

Executed at Washington, D. C., on January 29, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-2274; Filed, Feb. 8, 1945, 11:02 a. m.]

[Vesting Order 4572]

EMMA FREDERICKA JOHANNE SHEPPERD

In re: Estate of Emma Fredericka Johanne Shepperd, deceased; File D-66-1618; E.T. sec. 10060.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ida (Mrs. Eda) Lange, Heinrich Lange and Freida Lange Zoepfel, and each of them, in and to the Estate of Emma Fredericka Johanne Shepperd, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ida (Mrs. Eda) Lange, Germany. Heinrich Lange, Germany. Freida Lange Zoepfel, Czechoslovakia.

That such property is in the process of administration by Safe Deposit and Trust Company of Baltimore, as Executor of the Estate of Emma Fredericka Johanne Shepperd, acting under the judicial supervision of the Orphans' Court of Baltimore City, Maryland;

And determining that—
Freida Lange Zoepfel, a citizen or subject of a designated enemy country, Gormany, and within an enemy occupied area, Czechoslovakia, is a national of a designated enemy country, (Germany);

To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or. in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 29, 1945.

[SEAL] JAMES E. MARKHAM, Alien Property Custodian.

[F. R. Doc. 45-2275; Filed, Feb. 8, 1945; 11:03 a. m.l

[Vesting Order 4574] ROBERT M. UTZ

In re: Estate of Robert M. Utz, deceased: File No. D-28-7880: E. T. sec. 8475.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Augusta Hintze and Anna Gramoll, and of each of them, in and to the Estate of Robert M. Utz, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Augusta Hintze, Germany. Anna Gramoll, Germany.

That such property is in the process of administration by Robert M. Utz and Clifford H. Utz, Executors, acting under the judicial supervision of the Surrogate's Court, Suffolk County, State of New York.

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a desig-

nated enemy country, Germany;
And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 29, 1945,

[SEAL] JAMES E. MARKHAM. Alien Property Custodian.

[F. R. Doc. 45-2277; Filed, Feb. 8, 1945; 11:03 a. m.]

[Vesting Order 4580]

ELIZABETH LEHER

In re: Estate of Elizabeth Leher, deceased; File D-28-8842; E. T. sec. 10899.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Herman Ruppert, Children, names unknown, of Joseph Ruppert, Katharina Insbach, Children, names unknown, of Peter Ruppert, Joseph Ruppert, Children, names unknown, of Joseph Ruppert, Katharina Insbach, Children, names unknown, of Katharina Insbach and Mayor of Hessloch, and each of them, in and to the Estate of Elizabeth Leher, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Herman Ruppert, Germany. Children, names unknown, of Herman Ruppert, Germany.
Peter Ruppert, Germany.

Children, names unknown, of Peter Ruppert, Germany, Jeceph Ruppert, Germany,

Children, names unknown of Joseph Ruppert, Germany. Katharina Insbach, Germany. Children, names unknown, of Katharina

Insbach, Germany.
Mayor of Heccloch, Germany.

That such property is in the process of administration by The American National Bank of Danver, as Executor of the Estate of Elizabeth Leher, acting under the judicial supervision of the County Court of the City and County of Denver, State of Colorado;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a desig-

nated enemy country, (Germany);
And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated. sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, penaing further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form AFC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on January 30, 1945.

[SEAL] JAMES E. MARKHAM. Alien Property Custodian.

[F. R. Doc. 45-2276; Filed, Feb. 8, 1945; 11:03 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[LIPR 136, Rev. Order 318]

J. A. Fay and Egan Co.

DETERMINATION OF MAXIMUM PRICES

Revised Order No. 318 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. J. A. Fay and Egan Company. Docket No. 3136-482; Docket No. 6083-136.25a-175.

Order No. 318 under Maximum Price Regulation 136, as amended, is revised and amended to read as follows:

For the reason set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended; It is ordered.

(a) The maximum prices of J. A. Fay and Egan Company, Cincinnati, Ohio, for its sales of the following woodworking machines, shall be determined as follows: The manufacturer shall deduct from the following list prices all discounts, allowances and other deductions that he had in effect to a purchaser of the same class on October 1, 1941.

| Machine and type of drive: | List price |
|----------------------------------|------------|
| No. 480 band saw, belt | \$4,839.00 |
| No. 950 36" band saw, direct | |
| motor | 1, 355. 00 |
| No. 511 variety saw, direct | |
| motor | 1,208.00 |
| No. 316 16" jointer, direct | |
| motor | 1, 161.00 |
| No. 316 12" jointer, direct | |
| motor | 917.00 |
| No. 545 borer, direct motor | 887.00 |
| No. 500 variety saw, direct | |
| motor | 785.00 |
| No. 501 swing saw, direct motor_ | 410.00 |
| No. 545 borer, belt | 862.00 |
| | |

(b) Resellers of the woodworking machines listed in (a) above shall determine their maximum price as follows: The reseller shall add to his maximum price in effect to a purchaser of the same class on October 1, 1941, his increase in costs due to the adjustment granted the J. A. Fay and Egan Company by this order.

(c) The J. A. Fay and Egan Company shall notify those customers who buy for resale the woodworking machines listed in (a) above of the amount by which this order permits resellers to increase their maximum prices.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Administrator at any

This order shall become effective February 8, 1945.

Issued this 7th day of February 1945.

CHESTER BOWLES.

Administrator

[F R. Doc. 45-2240; Filed, Feb. 7, 1945; 11:54 a. m.]

> [MPR 188, Order 3366] TROPICAL-SUN CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered.

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Tropical-Sun Company, 150 South Raymond Avenue, Pasadena 2, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below.

| Arficle . | Model No. | Manufac- turer's max- mum price to persons, other than retailers, who sell from the manufac- turer's stock | Maximum price for sales to retailers by the manu- facturer, and by persons, other than retailers, who sell from the manufac- turer's stock |
|----------------------------|--------------|--|--|
| Metal table Metal chair | 42 10 | Each \$12,75 7.86 | Each \$15.00 9.25 |

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment at the end of the month of invoice, and are for the articles described in the manufacturer's application dated December 13, 1944.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of February 1945.

Issued this 7th day of February 1945.

CHESTER BOWLES, Administrator

[F. R. Doc. 45-2242; Filed, Feb. 7, 1945; 11:51 a. m.]

[MPR 188, Order 3367]

TAYLOR MANUFACTURING CO., INC. APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered.

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Taylor Manufacturing Co., Inc., Miami, Okla.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below.

| Article | Model No. | Manufac- turer's max- mum prico to persons, other than rotallers, who sell from the manufac- turer's stock | Maximum price for sales to retailers by the manu- facturer, and by persons, other than retailers, who sell from the manufac- turer's |
|-------------|--------------|--|--|
| , | | | stock |
| Dinette set | 101 | Each \$19.98 | Each \$23, 50 |

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated December 9, 1944.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of February 1945.

Issued this 7th day of February 1945.

CHESTER BOWLES. Administrator

[F R. Doc. 45-2243; Filed, Feb. 7, 1945; 11:52 a. m.]

IMPR 188, Order 33681

D. A. SMITH CHAIR CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1489.158 of MPR 188; It is ordered:

- (a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by D. A. Smith Chair Company, Lenoir, N. C.
- (1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below

| Article | Mođel No. | Manufac- turer's max- mum price to persons, other than retailers, who sell from the manufac- turer's stock | Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock |
|--------------|--------------|--|--|
| Lounge chair | 45 | Each \$18.83 | Each \$22, 15 |

These prices are approved in cover fabric at \$1.35 to \$1.75 per yard.

These prices are f. o. b. factory, subject to a cash discount of two percent for payment within ten days, net thirty days and are for the articles described in the manufacturer's application dated August 21, 1944.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of February 1945.

Issued this 7th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2244; Filed, Feb. 7, 1945; 11:52 a. m.]

No. 29-3

IMPR 188, Order 33691

PENELLAS ASSOCIATED INDUSTRIES, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Penellas Associated Industries, Inc., Box 681, Clearwater, Fla.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below

| Article | Model No. | Manufacturer's maximum price to persons, other than retailers, who sell from the mote 125 tu. steek | M-domm y efor cales to retailers by the manu- lecturer, and by persons, ether the retailers, who cell from the manuface turer's cteck |
|----------|--------------|---|--|
| Play pen | 77 100 | Eath \$4, 10 5, 05 | E22h 84.83 6.93 |

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within fifteen days, net thirty days, and are for the articles described in the manufacturer's application dated December 16, 1944.

(2) For sales by the manufacturer the maxmum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of February, 1945.

Issued this 7th day of February 1945.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 45-2245; Filed, Feb. 7, 1945; 11:52 a.m.]

[MPR 183, Order 3370]

NORTHWESTERN PRODUCTS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188: It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Northwestern Products, 2714 LaS2lle Street, Saint Louis, 4, Mo.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below

| Model No | Manusacturer's maximum price to persons, other than retallers, who sell from their own stock | Manufacturer's maximum prica to persons, other than retailers, who sell from man unaturer 8 stock | Maximum price for sales to re- tallors by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock |
|-------------------------------|---|---|---|
| 1600 1800 1940 L | Ecch \$1.20 3.60 4.80 | Each \$1.27 3.83 5.10 | Each \$1.50 4.50 5.59 |
| | - | Model No Manufacturer's maxin price to persons, other refellers, who sell from own stock | Model No Manufacturer's maxin price to persons, other retailers, who sell from own stock Manufacturer's maxin price to persons, other retailers who sell from indecturer s stock |

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net time days, and are for the articles described in the manufacturer's application dated January 4, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR. 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this

order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of February 1945.

Issued this 7th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2246; Filed, Feb. 7, 1945; 11:52 a.m.]

[MPR 188, Order 3371]

KRANFRO MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered.

(a) This order establishes maximum prices for sales and deliveries, of an extension table manufactured by Kranfro Manufacturing Company, 329 North Main Street, Houston 2, Tex.

(1) (i) For all sales and deliveries by the manufacturer to the classes of purchasers specified below, since the effective date of Maximum Price Regulation No. 188, the maximum prices are those indicated below

| Artício | Model No. | Maximum price to persons, other than retailers, who sell from their own stock | Maximum price to persons, other than retailers, who sell from manufacturer's stock | Maximum price to retailers |
|-----------------|--------------|---|--|----------------------------|
| Extension table | 520 | Each \$6.00 | Each \$6.88 | Each \$7.50 |

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated November 25, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during, 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order

to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory.

Article and model No.. Maximum price to retailers (each)
Extension table, 520_______\$7.50

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated November 25, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of February 1945.

Issued this 7th day of February 1945.

CHESTER BOWLES, Administrator

[F. R. Doc. 45-2247; Filed, Feb. 7, 1945; 11:53 a.m.]

[MPR 188, Order 3372]

H & P House Furnishing Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered.

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by The H & P House Furnishing Co., 226 Lefsyette Street, New York, N. Y.

Lafayette Street, New York, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below.

| Article | Model No. | Manufacturer's maximum price to persons, other than retallers, who sell from the manufacturer's stock | Maximum price for sales to retailers by the manu- facturer, and by persons, other than retailers, who sell from the manufac- turer's stock |
|----------------|----------------------|---|--|
| Juvenile chair | 1080 1380 1080 | Each \$1.88 1.15 .94 | Each \$2, 21 1, 35 1, 11 |

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles de-

Ø

scribed in the manufacturer's application dated December 20, 1944.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of February 1945.

Issued this 7th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2248; Filed, Feb. 7, 1945; 11:53 a.m.]

[MPR 188, Order 8373] CHROM-O-LITE Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered.

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Chrom-O-Lite Co., 2165 Latham Street, Memphis 9, Tenn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below.

| Articlo | Model No | Manufacturor's maximum price to persons, other than retailers, who sell from their own stock | Manufacturer's maximum price to persons, other than retailers, who sell from man ulacturer's stock | Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock |
|-------------------------|--|---|--|--|
| Table Chair Table | PPE-46 8L-15 RL-15 TM-46 TS-46 | Each \$10, 31 3, 43 4, 32 17, 30 20, 74 | Each \$17, 33 3, 65 4, 59 18, 38 28, 41 | Each \$20, 39 4, 20 5, 40 21, 62 33, 42 |

These prices are f.o.b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated October 26. 1944.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of February 1945.

Issued this 7th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2249; Filed, Feb. 7, 1945; 11:53 a. m.]

[MPR 188, Order 3374]

J. M. BISHOP MANUFACTURING Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, It is ordered.

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by J. M. Bishop Manufacturing Company, 1011 East 23d Street, Kansas City 8, Mo.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below.

| Article | Model No. | Manufac- turer's max- mum price to persons, other than retailers, who sell from the manufac- turer's stock | Maximum price for soles to retailers by the manu- facturer, and by persons, other than retailers, who sell from the manufac- turer's stock |
|---------------------------------|--------------|--|--|
| Juvenile uphol- stered chair | 100 | Each \$3.83 | Each \$4.30 |

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated November 27, 1944.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of February 1945.

Issued this 7th day of February 1945.

CHESTER BOWLES,

Administrator. [F. R. Doc. 45-2250; Filed, Feb. 7, 1945; 11:54 a. m.]

> [MPR 188, Order 3375] BOND LUMBER CO.

approval of Maximum prices

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Bond Lumber Co., 221–18 Merrick, Laurelton, Long Island, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

| Article | Medel No. | Manufac- turer's max- mum price to persons, other than retailirs, who cell from the manufac- turer's etcel: | Moximum price for rales to prices, other than relaters, who rell from the manufer- turer's steek |
|--------------|--------------|---|--|
| Kidney tablo | 760 760 | End 19.35 10.07 | Dath \$11.00 11.85 |

These prices are f. o. b. factory, and are subject to a cash discount of one percent for payment within ten days, net thirty days, and are for the articles discribed in the manufacturer's application dated December 4, 1944.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 183. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 8th day of February 1945.

Issued this 7th day of February 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-2251; Filed, Feb. 7, 19:5; 11:54 a. m.]

[MPR 183, Order 3376] H & F Mill Co.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by H & F Mill Company, 6613 Fifth Avenue NE., Scattle, 5, Wash.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

| Artiilo | Model No | Manufacturer's maximum prica to presurs, other than retaliers, who cell from their own stock | Manufacturer's maximum prica to persons, other than retaliers, who sell from man ufacturer s stock | Maximum price for sales to re- calters by the munificativer, and by persons, other than reallers, who sell from the manufacturer's stock |
|---|--|---|---|--|
| Adirendeek chair Lawn settee Wayed is set Magazine table Lawn table | 4491 4492 4493 4493 4493 4494 | Ecch \$4.20 6.17 8.52 2.64 3.33 | Each \$4.45 6.55 9.03 2.81 8.59 | Emb \$7.25 7.71 10.65 3.30 4.22 |

Each

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated December 6, 1944.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of MPR 188, for the establishment of maximum prices for those sales and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall be become effective on the 8th day of February 1945.

Issued this 7th day of February 1945.

CHESTER BOWLES, Administrator

[F. R. Doc. 45-2252; Filed, Feb. 7, 1945; 11:54 a. m.]

IMPR 188, Order 33771 GLOBE VALVE CORPORATION

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register. and pursuant to § 1499.158 of Maximum Price Regulation No. 188, It is ordered.

(a) The maximum net prices for sales to any person by the Globe Valve Corporation of Delphi, Indiana, of the following commodities, shall be:

| | Each |
|--------------------------------------|--------|
| V-220-1/2" cast-iron plain compres- | |
| sion sink faucet with tee handle and | |
| rustproofing finish | \$0.76 |
| V-220H-1/2" cast-iron hose compres- | • |
| sion sink faucet with tee handle and | |
| rustproofing finish | 78 |
| V-2203-34" cast-iron plain compres- | |
| sion sink faucet with tee handle and | |
| rustproofing finish | . 81 |
| V-2203H-34" cast-iron hose compres- | |
| sion sink faucet with tee handle and | |
| rustproofing finish | . 83 |
| V-215-1/2" cast-iron plain compres- | |
| sion sink faucet with female flange, | |
| tee handle and rustproofing finish | 76 |
| V-215H-1/3" cast-iron hose compres- | |
| sion sink faucet with female flange, | |
| tee handle and rustproofing finish | 78 |
| | |

| V-2153-34" cast-iron plain compres- | |
|---------------------------------------|--------|
| sion sink faucet with female flange, | |
| tee handle and rustproofing finish | \$0.81 |
| V-2153H-34" cast-iron hose.compres- | |
| star start formach with famous formac | |

sion sink faucet with female flange, tee handle and rustproofing finish...

(b) The maximum prices for sales by plumbing and heating jobbers of the following commodities, shall be:

(1) On sales to plumbing and heating contractors, installers, commercial and industrial users:

| | Each |
|--------------------------------------|-------|
| V-220-1/2" cast-iron plain compres- | |
| sion sink faucet with tee handle and | |
| rustproofing finish | 81.01 |
| V-220H-1/2" cast-iron hose compres- | U |
| sion sink faucet with tee handle and | |
| rustproofing finish | 1.04 |
| V-2203-34" cast-iron plain compres- | |
| sion sink faucet with tee handle and | |
| rustproofing finish | 1.08 |
| V-2203H34" cast-iron hose compres- | |
| sion sink faucet with tee handle and | |
| rustproofing finish | 1.11 |
| | 1.11 |
| V-215—1/2" cast-iron plain compres- | |
| sion sink faucet with female flange, | |
| tee handle and rsustproofing finish | 1.01 |
| V-215H-1/2" cast-iron hose compres- | |
| sion sink faucet with female flange, | |
| tee handle and rustproofing finish | 1.04 |
| V-215334" cast-iron plain compres- | |
| sion sink faucet with female flange, | |
| tee handle and rustproofing finish | 1.08 |
| V-2153H-34" cast-iron hose compres- | |
| sion sink faucet with female flange, | |
| to to all and makened an Aniah | 4 44 |

tee handle and rustproofing finish... (2) On sales to all other persons:

| | Each |
|--------------------------------------|--------|
| V-220-1/2" cast-iron plain compres- | |
| sion sink faucet with tee handle and | |
| rustproofing finish | \$1.12 |
| V-220H-1/2" cast-iron hose compres- | • |
| sion sink faucet with tee handle and | |
| rustproofing finish | 1.15 |
| V-2203-34" cast-iron plain compres- | |
| sion sink faucet with tee handle and | |
| rustproofing finish | 1.20 |
| V-2203H-%" cast-iron hose compres- | 2.20 |
| sion sink faucet with tee handle and | |
| rustproofing finish | 1, 23 |
| V-215—½" cast-iron plain compres- | 1.20 |
| sion sink faucet with female flange. | |
| | 1.12 |
| tee handle and rustproofing finish | 1.14 |
| V-215H1/2" cast-iron hose compres- | |
| sion sink faucet with female flange, | 4 45 |
| tee handle and rustproofing finish | 1.15 |
| V-2153-34" cast-iron plain compres- | |
| sion sink faucet with female flange, | |
| tee handle and rustproofing finish | 1. 20 |
| V-2153H-34" cast-iron hose compres- | |
| sion sink faucet with female flange, | |
| tee handle and rustproofing finish | 1.23 |
| (c) The maximum prices for sal | es hv |

(c) The maximum prices for sales by retailers to any person of the following commodities, shall be:

| · | Each |
|--|--------|
| V-220-1/2" cast-iron plain compression sink faucet with tee handle and | |
| rustproofing finish | \$1.12 |
| V-220H-1/2" cast-iron hose compression sink faucet with tee handle and | |
| rustproofing finish | 1. 15 |
| V-2203-34" cast-iron plain compression sink faucet with tee handle and | |
| rustproofing finish | 1.20 |
| sion sink faucet with tee handle and | |
| rustproofing finish | 1.23 |
| sion sink faucet with female flange, | |
| tee handle and rustproofing finish V-215H-1/3" cast-iron hose compres- | 1.12 |
| sion sink faucet with female flange, | |
| tee handle and rustproofing finish | 1.15 |
| | |

Each V-2153-34" cast-iron plain compression sink faucet with female flange, tee handle and rustproofing finish... \$1.20 V-2153H-%" cast-iron hose compression sink faucet with female flange, tee handle and rustproofing finish...

(d) The maximum prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) The Globe Valve Corporation shall notify in writing each of its purchasers at or before the time of the first invoice of the maximum prices established by this order for the Globe Valve Corporation on sales to such purchasers and the maximum resale price established for such purchasers.

(g) The Globe Valve Corporation shall tag each of the commodities covered by this order and shall print in a conspicuous place on the tag the maximum retail price for the commodity as established by this order and shall identify such price as the maximum retail

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 8, 1945.

Issued this 7th day of February 1945.

CHESTER BOWLES. Administrator

[F R. Doc. 45-2253; Filed, Feb. 7, 1945; 11:51 a. m.1

[MPR 260, Order 593] ANTONIO CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) The Antonio Cigar Company, 1316 Spring Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below.

| Brand | Size or front- mark | Pack- ing | Maxi- mum list price | Maxi- mum retail price |
|-------|--------------------------------|-------------------|-------------------------------|---------------------------------|
| Tuval | Perfectos Queens Londres | \$0 \$0 \$0 | Per M \$18 60 72 | Cents 0 7 0 |

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 8, 1945.

Issued this 7th day of February 1945.

CHESTER BOWLES, Administrator

[F. R. Doc. 45-2238; Filed, Feb. 7, 1945; 11:50 a. m.]

[MPR 528, Order 28]

WABER CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Appendix A (d) of Maximum Price Regulation 528; It is ordered.

(a) Order No. 19 under Maximum Price Regulation 528 is hereby revoked.

(b) The maximum retail prices for sales of Waber Special Purpose tubes, manufactured for The Waber Company, 1120 South Michigan Avenue, Chicago, Illinois, in the following sizes, shall be:

PASSENGER CAR TURES 812.00 6.50-15___ 12, 25 10.35 12, 15 7.00–16_____ 12.40 7.50-16_____ 6.00-20 12, 25 6.50-20_____ 12, 85 TRUCK TUEES 7.00-20_ 13, 50

(c) The posting, sales slip, and record provisions of sections 8, 9, and 10 of Maximum Price Regulation 528, and all other provisions of that regulation not inconsistent with this order, shall apply to all retail sales of the commodities covered by this order.

7.50-20_____

8.25-20_____ 9.00-20_____

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 8, 1945.

Issued this 7th day of February 1945.

CHESTER BOWLES, Administrator.

[F. R. Doc. 45-2239; Filed, Feb. 7, 1945; 11:50 a. m.)

[Supp. Order 94, Order 25]

UNITED STATES TREASURY DEPARTMENT, PROCUREMENT DIVISION

SPECIAL MAXIMUM PRICES FOR SALES OF SURGEON'S RUBBER GLOVES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

- (a) What this order does. This order establishes maximum prices at which the Surgeon's rubber gloves hereinafter described may be sold by United States Treasury Department, Procurement Division, and by any subsequent reseller.
- (b) Maximum prices. Maximum prices per pair of new gloves described herein shall be:

| Description of gloves | Trecoury's price to wholecoler f.c. b. shipping point | Wholeraler's price and Treasury's price to re- tailer or in- dustrial or institutional user, L.o. b. chippins point | Prices for all calcs at retail |
|---|---|---|---|
| Eurgeon's rubber gloves, medium weight, rubber grade A.015 gauge, black | 89.21 | £9,23 | 80.4 0 |

(c) Discounts. Every seller shall continue to maintain his customary discounts.

(d) Notification. Any person who sells the gloves described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum reselling price, and stating that the retailer is required by this order to attach to each pair of gloves before sale a tag or label containing the following:

OPA celling price_

(e) Tagging. Any person who sells the gloves described in paragraph (b) at retail shall attach to each pair of gloves before sale a tag or label which plainly

states the retail celling price.

(f) Definitions. (1) "Retailer" means any person whose sales to purchasers for use constitute a substantial part of his

18.65

19.65

23.40

total sales.
(2) "Wholesaler" means any person other than a manufacturer who distributes or sells gloves to purchasers for resale and to industrial and institutional users.

(g) Revocation and amendment. This order may be revoked or amended at any time.

This order shall become effective February 9, 1945.

Issued this 8th day of February 1945.

CHESTER BOWLES. Administrator.

[F. R. Doc. 45-2233; Filed, Feb. 8, 1945; 11:35 a. m.]

[MPR 183, Order 3378]

J. B. WISE, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is hereby ordered.

(a) The maximum list prices for sales by all persons of unplated, unpolished brass fittings and trimmings manufactured by J. B. Wise, Incorporated of Watertown, New York, which were not delivered or offered for delivery by such persons during March 1942, shall be 85 percent of the highest list prices for which each seller delivered or offered for delivery during March 1942 the identical chrome plated brass fittings and trimmings manufactured by J. B. Wise, Incorporated of Watertown, New York.

(b) The maximum list prices for sales by all persons of unplated unpolished brass fittings and trimmings manufactured by J. B. Wise, Incorporated of Watertown, New York, which were delivered or offered for delivery by such persons during March 1942, shall be the highest list prices for which each seller delivered or offered for delivery the identical unplated unpolished brass fittings and trimmings during March 1942.

(c) The maximum list prices determined by J. B. Wise, Incorporated of Watertown, New York under the provisions of (a) and (b) above shall, on sales to jobbers, be subject to a discount of 45 percent.

(d) In addition to the discount enumerated in (c) above, all sellers shall extend or render discounts, allowances and services equally as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) J. B. Wise, Incorporated shall notify in writing each of its purchasers at or before the time of the first invoice the maximum prices established by this Order for J. B. Wise, Incorporated on sales to such purchasers, and the maximum resale prices established for such purchasers.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 9, 1945.

Issued this 8th day of February 1945.

CHESTER BOWLES,

Administrator

[F. R. Doc. 45-2294; Filed, Feb. 8, 1945; ii:36 a. m.]

[MPR 188, Order 3379]

NATIONAL BRASS MANUFACTURING CO. AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, It is ordered.

(a) The maximum net price, f. o. b. point of manufacture, for sales to any person by the National Brass Manufacturing Company of the following commodities, as described in its application of December 12, 1944, shall be:

| | Eacn |
|---------------------------------------|--------|
| Polished brass or chrome plated brass | |
| lavatory faucet | \$1.03 |
| Polished brass or chrome plated brass | |
| front handle bath faucet | 1.50 |
| Polished brass or chrome plated brass | |
| both counting | 45 |

(b) The maximum prices for sales by plumbing and heating jobbers of the following items of plumbing fixture trimmings manufactured by the National Brass Manufacturing Company of Marysville, Ohio, shall be:

(1) On sales to plumbing and heating contractors, installers, commercial and

| industrial users: | Each |
|--|--------|
| Polished brass or chrome plated brass | |
| lavatory faucetPolished brass or chrome plated brass | \$1.40 |
| front handle bath faucet Polished brass or chrome plated brass | 2.00 |
| bath coupling | .60 |
| (2) On sales to all other persons: | |
| | Each |

lavatory faucet_____ \$1.56

Polished brass or chrome plated brass

(c) The maximum prices for sales by retailers to any person of the following items of plumbing fixture trimmings manufactured by the National Brass Manufacturing Company of Marysville, Ohio, shall be:

(d) The maximum prices established by this order shall be subject to discounts, allowances including transportation allowances, and rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) The National Brass Manufacturing Company shall notify in writing each of its purchasers at or before the time of the first invoice, issued after the effective date of this order, of the maximum prices established by this order for the National Brass Manufacturing Company on sales to such purchasers, and the maximum price established for such purchaser's resale.

(g) The National Brass Manufacturing Company shall tag each of the commodities covered by this order, and shall print in a conspicuous place thereon the maximum retail price as established by this order, and shall identify such price as the maximum retail price.

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective February 9, 1945.

Issued this 8th day of February 1945.

CHESTER BOWLES,
Administrator

[F. R. Doc. 45-2295; Filed, Feb. 8, 1945; 11:36 a. m.]

Regional and District Office Orders.
[Region II, Rev. Order G-16 under RMPR 122]

Pennsylvania Anthracite in New York Region

Under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) What this order does—(1) Dealers' maximum prices; area covered. If you are a dealer in "Pennsylvahia anthracite" this order fixes the maximum prices which you may charge, and if

you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in the zones comprising State of New Jersey—Coal Area IV That area consists of three zones, as follows:

Zone 1. Zone 1 includes the following portions of the State of New Jersey starting at the intersection of the southern borderline of Bergen County and the Hudson River, running westerly along the Bergen County Line to the Hackensack River, thonco northerly to Route 6, thence northwesterly along Route 6 to the Erie Railroad Short Cut, thence north to Route 4, thence easterly to Route 17, thence northerly to the New York State Border, thence easterly along the Bergen County Border to the Hudson River at point of origin.

Zone 2. Zone 2 includes the following portions of the State of New Jersey That portion of Bergen County South of Route 6 and west of the Hackensack river, and the cities of Passalc and Clifton in Passalc County.

Zone 3. Zone 3 includes the following portions of the State of New Jersey All of Passate County excluding the cities of Passate, Clifton and all of Bergen County not included in Zones 1 and 2, and the Boroughs of Lincoln Park, Riverdale, Butler, and the Township of Pequamock in the County of Morris.

(2) Schedules of prices, charges, and discounts. The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Zone 1, 2, and 3 are set forth in Schedules I, II, and III, respectively.

(3) To what sales this order applies. If you are a dealer in anthracite you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Zones 1, 2, and 3.

You shall determine the maximum price for "direct-delivery" sales, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone to which delivery is made, whether or not you are located in one of the three zones.

You shall determine your maximum price for a "yard" sale, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone to which the purchaser takes physical possession or custody of the anthracite.

- (b) What this order prohibits. Regardless of any contract or other obligations, you shall not:
- (1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may-charge, pay or offer less than maximum prices.
- (2) Obtain any price higher than the applicable maximum price by
- (i) Changing the discounts authorized herein, or
- (ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the schedule price for such service, or

(v). Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with the requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly

(c) How to compute maximum prices. You must figure your maximum price as follows:

(1) Use the Schedule which covers your sale. (Schedule I applies to sales on a "direct-delivery" basis, "yard sales", and "sales of bagged coal" within Zone 1. You will find Schedule I in paragraph (d) In like manner, Schedules II and III apply to similar sales in Zones 2 and 3, respectively. You will find Schedule II in paragraph (e) and Schedule III in paragraph (f)

(2) Take the dollars-and-cents figure set forth in the applicable schedule, for the sizes and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified in each schedule. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in Schedules II and III

(5) If you deliver a fraction of a net ton, even if less than one half ton, and the applicable schedule provides a discount on the basis of one ton or one half ton, you shall allow a proportionate discount, making your calculations to the nearest full cent. For example, if you are required to deduct 50¢ per ton for cash payment, you shall deduct 38¢ for three-quarters of a ton and 13¢ for one-quarter of a ton.

(6) If you deliver a fraction of a net ton, but not less than one-half ton, and the applicable schedule provides a service charge on the basis of one ton, you shall add no more than a proportionate service charge, making your calculation to the nearest full cent. For example, if the transaction permits a service charge of 50¢ per ton, you shall not add more than 38¢ for performance of that service in connection with the delivery of three-quarters of a ton.

(d) Schedule I. Schedule I establishes specific maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Zone 1. There is a separate

table of prices for "direct-delivery" sales, "yard sales", and "sales of bagged coal"

(1) Sales on a direct-delivery basis. For sales of anthracite of the sizes and in the quantities specified:

| Size | Pernet ton | Pernet 34 ton | Per 160 lbs. for calm of 100 lbs. or more, but less than 32 ton |
|--|--|--|--|
| Broken, cgg, stove, nut. Pea. Buckwheat Rice. Barley Screenings. | \$14.25 12.70 10.85 8.85 4.0 | \$7.43 6.85 6.89 6.89 4.89 2.15 | 99.83 89. 70 |

REQUIRED DIECOUNTS

You shall deduct from the prices set forth in table (1) of this Schedule, on cales and deliveries of all sizes except ecreenings, a discount of 50¢ per net ton and 25¢ per net \(\frac{1}{2} \) ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 25¢ per net ton, on sales and deliveries of all sizes except buckwheat, rice, barley and screenings, and discount of 50¢ per net ton on sales of buckwheat, rice, and barley sizes, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more within a period of twelve months.

or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every subsequent delivery during the came twelve-month period.

(2) Yard sales. For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers:

| | Sales to | dealers | Eales to con- cumers | | |
|----------------------------|--|---|--|---------------------|--|
| Sizo | ton for sales of M ton | Per 100 lbs. for 100 lbs. or more but less than 1/2 ton | ten fer sales ef 14 ten | butless | |
| Broken, egg, stove, nut | \$12.76 11.29 9.33 8.45 7.33 2.00 | 8.CS • 83 • 83 • 83 • 83 • 83 • 83 • 83 • 83 | \$13.25 11.70 0.65 8.65 7.60 2.00 | 82.75 .65 .60 | |

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (2) of this Schedule, on sales and deliveries of all sizes except accreaings in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

(3) Sales of bagged coal (maximum prices per bag),

| Maximum | Percent | Pro | 70 TR | PIECE | Rica |
|---------|---------|-----|-------|-------|------|

| Cl | | Delivered at dealer's yard | | Deliv- cred to | | Sales to ulti- | |
|---------------------------------------|----|-------------------------------|---------------------------|-------------------|------------|-----------------------------|--|
| Siza | | To dealers | To con- sumers | | ail | mate con- cumer | |
| Nut Pca | _ | £0.37 .32 | \$0.42 .37 | | .42 .37 | \$0.47 .42 | |
| MAXIIIUM P | EI | es Per | 23 lb. P | APE | : B | LG | |
| Nat | | \$0.19 | \$0.22 | \$0. | .21 | \$0.28 | |
| Махици Р | me | E3 PER | 12 le. F | APE | : B | AG | |
| Ska | | elivered dealer's yard | Delive to ret store | ıîı | 삡 | ales to timate isumer | |
| · · · · · · · · · · · · · · · · · · · | _ | | | _ | | | |

(e) Schedule II. Schedule II establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "direct-delivery sales," "yard sales", and "sales of bagged coal" (1) Sales on a direct-delivery basis.

\$0.693

£0.105

\$0,125

Nut....

(1) Sales on a direct-delivery basis. For sales of anthracite of the sizes and in the quantities specified:

| Sizo | Per net ton | Per not ½ ton | Per 100 lbs. for sales of 100 lbs. or more, but less than 1/2 ton |
|---|---|--|--|
| Broken, 623, stove, nut. Pea. Buckwheat. Rice. Berley. Sercenlage. | \$14.23 12.70 10.20 9.45 8.30 4.20 | \$7.63 6.83 5.63 5.23 4.63 2.15 | \$0.85 -86 -70 |

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) above, on sales and deliveries of all sizes, except cereanings, a discount of 50% per net ton and 25% per net ½ ton, where payment is made within ten days after delivery. Nothing herein requires you to sall on other than a cash basis.

In addition, you shall deduct a discount of 50° per net ton, on sales and deliveries of all cizes, except cereanings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an

attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point. You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every subsequent delivery during the same twelvemonth period.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special Service Rendered at the Request of the Purchaser

Jents per net ton

"Carry" or "wheel" (except for sales amounting to less than ½ ton) 50
Carrying upstairs, for each floor above the ground floor (except for sales amounting to less than ½ ton). This charge shall be in addition to any charge for "Carry" or "Wheel" 50

(2) Yard sales. For sales of anthracite of the sizes and in the quantities specified to dealers and to consumers:

| | Sales to | dealers | Sales to con- sumers | | |
|-------------------------|--|----------------------|--|----------------------|--|
| Size | ton for sales of ½ ton | or more | sales of | or more but less | |
| Broken, egg, stove, nut | \$11, 65 10, 10 8, 50 7, 60 6, 45 2, 50 | \$0.65 .55 .50 | \$13. 25 11. 70 9. 30 8. 45 7. 30 2. 50 | \$0.75 .65 .60 | |

REQUIRED DISCOUNTS

You shall deduct from the prices set fourth in table (2) of this Schedule, on sales and deliveries of all sizes except screenings in quantities of ½ ton or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

(3) Sales of bagged coal (maximum prices per bag)

MAXIMUM PRICES PER 50 LB. PAPER BAG

| Clas | Delive dealer | ered at 's yard | Deliy- ered to | Sales to ulti- mate con- sumers | |
|--------|------------------|--------------------|-------------------|---|--|
| Size | To dealers | To con- sumers | retail stores | | |
| NutPea | \$3. 95 3. 45 | \$0.42 .37- | \$0.42 .37 | \$0. 47 42 | |

MAXIMUM PRICES PER 25 LB. PAPER BAG

| Nut | \$0. 19 | \$0. 21 | \$0. 21 | \$0.26 |
|-----|---------|---------|---------|--------|
| | | | | |

MAXIMUM PRICES PER 12 LB. PAPER BAG

| Size | Delivered | Delivered | Sales to | |
|------|-------------|-----------|----------|--|
| | at dealer's | to retail | ultimate | |
| | yard | stores | consumer | |
| Nut | \$0.095 | \$0. 105 | \$0. 125 | |

- (f) Schedule III. Schedule III establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 3. There is a separate table of prices for "direct-delivery" sales, "yard sales", wholesale yard sales, and "sales of bagged coal."
- (1) Sales on direct-delivery basis. For sales of anthracite of the sizes and in the quantities specified:

| Size | Per net ton | Per net ½ ton | Per 100 lbs. for sales of 100 lbs. or more, but less than ½ ton |
|---------------------------------|---|--|--|
| Broken, egg, stove, nut- Pea | \$14.00 12.45 10.30 9.35 7.90 4.30 | \$7. 25 6. 50 5. 40 4. 95 4. 20 2. 15 | \$0.85 .80 .70 |

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (1) of this Schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net \(\frac{1}{2} \) ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was a delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

at one point.
You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every subsequent delivery during the same twelvementh period.

MAXIMUM AUTHORIZED SERVICE CHARGES

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales amounting to less than ½ ton)_____ 50

Carrying upstairs, for each floor above the ground floor (except for sales amounting to less than ½ ton).

This charge shall be in addition to any charge for "carry" or "wheel"__ 50

(2) Yard sales. For sales of anthracite of the sizes and in the quantities specified to dealers, and to consumers, except "wholesale yard sales" under table (3) of this Schedule III.

| : | Sales to | dealers | Sales to con- sumers | | |
|----------------------------|---|---|--|----------------------|--|
| Size | ton for sales of ½ ton | Per 100 lbs. for 100 lbs. or more but less than ½ ton | ton for sales of 1/2 ton | or more but less | |
| Broken, egg, stove, nut | \$10.90 9.15 7.60 6.65 5.65 2.50 | \$0.65 .55 .50 | \$13.00 11.45 9.30 8.35 6.90 2.50 | \$0.75 .65 .60 | |

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (2) of this Schedule, on sales and deliveries to consumers for all sizes except screenings, in quantities of ½ ton, or more, a discount of 50¢ per net ton and 25¢ per net ½ ton, where payment is made within ten days after delivery. Nothing herein requires you to sell on other than a cash basis.

(3) Wholesale yard sales. (Sales from yards of dealers who have normally sold exclusively to other dealers for resale)

| Size: Per 1 | net ton |
|-------------------------|---------|
| Broken, egg, stove, nut | \$10.75 |
| Pea | 9.00 |
| Buckwheat | 7.45 |
| Rice | 6.50 |
| Barley | 5, 50 |
| Screenings | 2.50 |

REQUIRED DISCOUNTS

You shall deduct from the prices set forth in table (3) of this Schedule, for payment within fifteen days after delivery, the following discounts:

| | discount per net ton | |
|---|-------------------------|--|
| Broken, egg, stove, nut Pea and buckwheat Rice and barley | 10 | |

(4) Sales of bagged coal (maximum prices per bag)

MAXIMUM PRICES PER 50 LB. PAPER BAG

| Sizo | Delivered at dealer's yard | | Ďe- | Sales to ulti- |
|------------|-------------------------------|---------------|--------------------------------|-----------------------|
| | To deal- ers | To consumers | livered to retail stores | mate con- sumer |
| Nut Pea | \$0.395 .345 | \$0.42 .37 | \$0.42 .37 | \$0. 47 42 |

Maximum Prices per 25 lb. Paper Bac

| | | | | |
|-------------|----------------|--------|---------|--------|
| Nut | \$0. 19 | \$0.21 | \$0. 21 | \$0.28 |

MAXIMUM PRICES PER 12 LB. PAPER BAG

| Size | Delivered | Delivered | Sales to | |
|------|-------------|----------------|------------------|--|
| | at dealer's | to retail | ultimate | |
| | yard | stores | consumer | |
| Nut | \$0.095 | \$0.105 | \$ 0. 125 | |

(g) Commingling. If you sell one size of anthracite, commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "Directdelivery" sale, "Yard sale", or "Sales of bagged coal" except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, in that event, if those sizes are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes in the truck or other vehicle, or in the bags, in which the de-livery is made. The price for anthra-cite so commingled shall be calculated on the basis of the applicable per net ton price, or, in the case of bagged coal, on the basis of the applicable bagged price, for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(h) Ex parte 148; freight rate increases. Since the Ex Parte 148 Freight Rate increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any Schedule price on account of freight rates.

(i) Addition of increase in suppliers' maximum prices prohibited. You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices already reflect increases to you in your supplier's maximum

mum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(j) Taxes. If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately.

(k) Adjustable pricing. You may not make a price adjustable-to a maximum price which will be in effect at some time after delivery of the anthracite has been completed: but the price may be adjustable to the maximum price in effect at

the time of the delivery. (1) Petitions for amendment. Any person seeking an amendment of any provisions of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(m) Right of amendment or revocation. The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provisions

thereof, at any time.

- (n) Applicability of other regulations. If you are a dealer subject to this order. you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are estab-lished. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.
- (o) Records. If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of solid fuel hereafter, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.
- (p) Posting of maximum prices; sales slips and receipts. (1) If you are a

dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size. and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser, or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(q) Enforcement. (1) Persons violating any provisions of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Newark District Office of the Office of Price Administration or with the Price Panel of the Appropriate War Price and Rationing Board.

(r) Definitions and explanations. When used in this Order No. G-16, the term:

(1) "Persons" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and delivery, and contracts and offers to do any of the foregoing. The terms "sale" "selling" "sold" "seller" "buy" "purchase" and "purchaser" shall be

construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the Schedule herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.
(4) "Pennsylvania anthracite" means

all coal produced in the Lehigh, Schuylkill and Wyoming regions in the State of

Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New Jersey-Coal Area IV with such designation during December 1941.

(6) "Direct delivery", in Schedule I applicable to Zone 1, means delivery to

the buyer's bin or storage space.
(7) "Direct delivery" in Schedules II and III applicable to Zones 2 and 3 except with respect to sales in 100 lb. lots. means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle, or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. lots shall mean depositing in buyer's bin or

other storage space designated by buyer.
(8) "Carry" and "wheel" as used in Schedules II and III refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from the seller's truck in the course of "direct delivery."
(9) "Yard sales" means sales accom-

panied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(10) "Wholesale yard sales" means sales from yards of dealers who normally sold exclusively to other dealers for re-

(11) "Delivered at dealer's yard" as applied to sales of bagged coal, means physical transfer at the dealer's yard to the purchaser's truck or other vehicle.

(12) "Delivered to retail stores" as applied to sales of bagged coal, means deposit in that part of the store designated by purchaser.

(13) "Sales to ultimate consumer" as applied to bagged coal, means sales by dealers, other than sales at a dealer's yard, whether or not delivered to the consumer's premises.

(14) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation 122 shall apply to terms used herein.

(s) Effect of order on Revised Maximum Price Regulation No. 122. This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

(t) Effect of order on Order No. G-16 as originally issued and on Order No. G-23. Order No. G-16 under Revised Maximum Price Regulation No. 122, as issued on October 27, 1943 is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G-23 issued under that Regulation on November 24, 1943, to the extent that Order No. G-23 was applicable to Order No. G-16.

Note: This order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This Revised Order No. G-16 shall become effective December 31, 1943.

No. 29-4

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 31st day of December 1943.

DANIEL P. WOOLLEY. Regional Administrator

[F. R. Doc. 44-19843; Filed Dec. 30, 1944; 11:54 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register February 3, 1945.

REGION II

Altgona Order 2-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Pennsylvania, filed 9:55 a. m.

Binghamton Order 13, Amendment 1, covering dry groceries in the Binghamton Area. filed 9:26 a. m.

Binghamton Order 14, Amendment 1, covering dry groceries in the Binghamton Area, filed 9:26 a. m.

District of Columbia Order 4-W, Amendment 2, covering dry groceries in the Washington, D. C., Area, filed 9:27 a. m.
New York Order 1-F, Amendment 46, cov-

ering fresh fruits and vegetables in the five

boroughs in New York, filed 9:56 a. m. New York Order 3-F, Amendment 33, covering fresh fruits and vegetables in certain counties in New York, filed 9:55 a.m.

New York Order 6-F, Amendment 28, covering fresh fruits and vegetables in certain counties in New York, filed 9:56 a.m.

Syracuse Order 3-F, Amendment 16, covering fresh fruits and vegetables in certain counties in New York, filed 9:56 a. m.

Syracuse Order 4-F Amendment 11, covering fresh fruits and vegetables in certain counties in New York, filed 9:57 a.m.

REGION III

Charleston Order 3-F, Amendment 57, covering fresh fruits and vegetables in certain counties in West Virginia, filed 9:54 a. m. Charleston Order 7-F, Amendment 43,

covering fresh fruits and vegetables in certain-

counties in West Virginia, filed 9:54 a. m. Charleston Order 8-F, Amendment 43, covering fresh fruits and vegetables in certain

counties in West Virginia, filed 9:53 a.m. Charleston Order 9-F, Amendment 43, covering fresh fruits and vegetables in certain

counties in West Virginia, filed 9:53 a. m. Charleston Order 10-F, Amendment 38, covering fresh fruits and vegetables in certain counties in West Virginia, filed 9:52 a. m. Charleston Order 11-F, Amendment 28,

covering fresh fruits and vegetables in certain counties in West Virginia, filed 9:51 a. m.

Charleston Order 12-F, Amendment 32, covering fresh fruits and vegetables in certain counties in West Virginia, filed 9:51 a. m. Charleston Order 13-F, Amendment 28,

covering fresh fruits and vegetables in certain counties in West Virginia, filed 9:51 a.m.

Cincinnati Order 1-C, Amendment 2, covering poultry in certain counties in the State of Ohio, filed 9:37 a. m.

Cincinnati Order 1-C, Amendment 1, covering poultry in the Cincinnati Area, filed 9:37 a. m.

Escanaba Order 18-3B, Amendment 11, covering fresh fruits and vegetables in certain counties in Michigan and Wisconsin, filed

Escanaba Order 19-3B, Amendment 11, covering fresh fruits and vegetables in certain counties in Michigan and Wisconsin, filed 9:36 a. m.

Louisville Order 1-C, Amendment 1, covering poultry in certain counties in Kentucky and Indiana, filed 9:42 a. m.

Louisville Order 2-C, Amendment 1, covering poultry in certain counties in the State of Kentucky, filed 9:43 a. m.

Louisville Order 12-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Kentucky and Indiana, filed 9:35

Louisville Order 13-F, Amendment 3, covering fresh fruits and vegetables in Mc-

Cracken County, Ky., filed 9136 a. m.
Louisville Order 14-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Kentucky, filed 9:35 a.m.
Saginaw Order 2-F, Amendment 53, cover-

ing fresh fruits and vegetables in certain counties in Michigan, filed 9:55 a.m.

Saginaw Order 2-F, Amendment 54, covering fresh fruits and vegetables in certain counties in Michigan, filed 9:54 a.m.

REGION IV

Atlanta Order 16, Amendment 3, covering eggs in certain counties in the State of Georgia, filed 9:41 a. m.

Atlanta Order 17, Amendment 3, covering eggs in certain counties in the State of Georgia, filed 9:41 a. m.

Atlanta Order 18, Amendment 3, covering eggs in certain counties in the State of Georgia, filed 9:40 a. m.
Atlanta Order 19, Amendment 3, covering

eggs in certain counties in the State of Georgia, filed 9:41 a. m.

Columbia Order 5-F, Amendment 6, covering fresh fruits and vegetables in certain counties in South Carolina, filed 9:49 a.m.

Jackson Order 4-F, Amendment 15, covering fresh fruits and vegetables in certain counties in Mississippi, filed 9:50 a.m.

Jacksonville Order 10-F, Amendment 15, covering fresh fruits and vegetables in certain cities in Florida, filed 9:49 a.m.

Savannah Order 7-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Georgia, filed 9:41 a. m.

Savannah Order 9-F, Amendment 14, covering fresh fruits and vegetables in certain counties in the State of Georgia, filed 9:39

Savannah Order 10-F, Amendment 14, covering fresh fruits and vegetables in certain counties in the State of Georgia, filed 9:26 a. m.

REGION V

Fort Worth Order 1-F. Amendment 54, covering fresh fruits and vegetables in the Fort Worth Area, filed 9:49 a. m.

Fort Worth Order 2-F, Amendment 54, covering fresh fruits and vegetables in the Fort Worth Area, filed 9:49 a.m.

Fort Worth Order 3-F, Amendment 54, covering fresh fruits and vegetables in certain counties in Texas, filed 9:34 a. m.

Fort Worth Order 4-F, Amendment 54, covering fresh fruits and vegetables in the Fort Worth Area, filed 9:34 a.m.

Fort Worth Order 5-F, Amendment 54, covering fresh fruits and vegetables in the Fort Worth Area, filed 9:33 a.m.

Lubbock Order 2-W, Amendment 3, covering community food pricing in the Lubbock, Tex., Area, filed 9:42 a. m.

Lubbock Order 5-F, Amendment 11, covering fresh fruits and vegetables in the Lubbock, Tex., Area, filed 9:42 a.m.

Lubbock Order 5-F, Amendment 12, covering fresh fruits and vegetables in the Lubbock, Tex., Area, filed 9:40 a.m.

St. Louis Order C-1, Amendment 1, covering poultry in the St. Louis Area, filed 9:33 a. m.

St. Louis Order C-2, Amendment 1, covering poultry in the St. Louis Area, filed 9:33

REGION VI

Milwaukee Order 2-F, Amendment 53, covering fresh fruits and vegetables in Dane County, filed 9:31 a. m.

Milwaukee Order 5-F, Amendment 52, covering fresh fruits and vegetables in certain

counties in Wisconsin, filed 9:32 a.m.
Milwaukee Order 6-F, Amendment 3, covering fresh fruits and vegetables in Mil-

waukee County, Wis., filed 9:32 a.m.
Milwaukee Order 7-F Amendment 3, covering fresh fruits and vegetables in certain countles in Wisconsin, filed 9:32 a.m.

Springfield Order 1-FS, Amendment 24, covering fresh fruits and vegetables in certain areas in Illinois, filed 9:30 a.m.

Springfield Order 3-FS, Amendment 5, covering fresh fruits and vegetables in certain areas in Illinois, filed 9:31 a.m.

REGION VII

Albuquerque Order 8-W, Amendment 1, covering community food prices in certain areas in New Mexico, filed 9:28 a.m. Albuquerque Order 9-W, Amendment 1,

covering community food prices in certain areas in New Mexico, filed 9:28 a.m.

Albuquerque Order 11-F, Amendment 1, covering fresh fruits and vegetables in the New Mexico Area, filed 9:30 a.m.

Albuquerque Order 18, Amendment 1, covering community food prices in certain areas in New Mexico, filed 9:29 a.m.

Albuquerque Order 19, Amendment 1, covering community food prices in certain areas in New Mexico, filed 9:29 a.m. Albuquerque Order 20, Amendment 1, cov-

ering community food prices in the eastern and southern New Mexico Area, filed 9:28

Albuquerque Order 21, Amendment 1, covering community food prices in certain cities in New Mexico, filed 9:28 a. m.

REGION VIII

Phoenix Order 3-F, Amendment 57, covering fresh fruits and vegetables in the Phoenix Area, filed 9:28 a. m.

San Diego Order 2-F Amendment 14, covering fresh fruits and vegetables in the San

Diego Area, filed 9:27 a. m. San Diego Order 3-F, Amendment 11, covering fresh fruits and vegetables in the San Diego Area, filed 9:27 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERWIN H. POLLACK, Secretary.

[F. R. Doc. 45-2203; Filed, Feb. 6, 1945; 4:37 a. m.l

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register February 5, 1945.

REGION II

Baltimore-Order 4-F Amendment 21, covering fresh fruits and vegetables in the Baltimore area, filed 10:31 a. m. Baltimore Order 6-F, Amendment 21, cover-

ing fresh fruits and vegetables in Hagerstown, Maryland, filed 10:30 a. m.

Baltimore Order 8-F, Amendment 2, covering fresh fruits and vegetables in certain countles in Maryland, filed 10:30 a.m.

Harrisburg Order 1-W, covering dry groceries in certain countles in the State of

Pennsylvania, filed 10:31 a. m.

REGION VIII

Fresno Order 1-F Amendment 53, covering fresh fruits and vegetables in the Fresno area, filed 10:33 a. m.

Fresno Order 2-F, Amendment 41, covering fresh fruits and vegetables in the Modesto area, filed 10:33 a. m.

Nevada Order 9-F, Amendment 7, covering fresh fruits and vegetables in certain areas in Nevada, filed 10:36 a.m.

Nevada Order 10-F, Amendment 7, covering fresh fruits and vegetables in certain areas in Nevada, filed 10:36 a.m.

Portland Order 4-F, Amendment 6, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:36 a.m.

Portland Order 4-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Washington and Oregon, filed 10:35 a.m.

Portland Order 5–F, Amendment 5, covering fresh fruits and vegetables in certain counties in Oregon, filed 10:36 a.m.

Portland Order 5-F, Amendment 6, covering fresh fruits and vegetables in certain counties in Oregon, filed 10:34 a.m.

Portland Order 6-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Oregon, filed 10:36 a.m.

counties in Oregon, filed 10:36 a.m.

Portland Order 6-F, Amendment 6, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:34 a.m.

Portland Order 7-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Oregon, filed 10:35 a.m.

Portland Order 7-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Oregon, filed 10:34 a.m.

Portland Order 8-F, Amendment 4, covering fresh fruits and vegetables in Medford, Oreg., filed 10:35 a.m.

Oreg., filed 10:35 a.m.
Portland Order 8-F, Amendment 5, covering fresh fruits and vegetables in Medford, Oreg., filed 10:34 a.m.

Portland Order 9-F, Amendment 4, covering fresh fruits and vegetables in certain areas in Oregon, filed 10:35 a.m.

Portland Order 9-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Oregon, filed 10:34 a.m.

Portland Order 10-F, Amendment 3, covering fresh fruits and vegetables in certain cities in Washington, filed 10:35 a.m.

Portland Order 10-F, Amendment 4, covering fresh fruits and vegetables in certain cities in Washington, filed 10:34 a.m.

Portland Order 11-F, Amendment 3, covering fresh fruits and vegetables in certain

cities in Oregon, filed 10.35 a.m.
Portland Order 11-F, Amendment 4, covering fresh fruits and vegetables in Astoria,

Oreg., filed 10:34 a. m.

Portland Order 12-F, Amendment 1, covering fresh fruits and vegetables in certain

counties in Oregon, filed 10:35 a.m. Portland Order 12-F, Amendment 2, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:34 a.m.

Portland Order 13-F, Amendment 1, covering fresh fruits and vegetables in certain

cities in Oregon, filed 10:35 a.m.
Portland Order 13-F, Amendment 2, covering fresn fruits and vegetables in certain

cities in Oregon, filed 10:34 a.m.
Portland Order 14-F, Amendment 1, covering fresh fruits and vegetables in certain

cities in Oregon, filed 10:35 a.m. Portland Order 14-F, Amendment 2, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:34 a.m.

Portland Order 15-F, Amendment 1, covering fresh fruits and vegetables in certain

cities in Oregon, filed 10:35 a. m.

Portland Order 15-F, Amendment 2, covering fresh fruits and vegetables in certain cities in Oregon, filed 10:33 a. m.

Sacramento Order 3-B, Amendment 1, covering food prices in the Sacramento area, filed 10:33 a. m.

Sacramento Order 6-B, covering poultry prices in the Sacramento area, filed 10:32 a.m. Sacramento Order 6-B, under Adopting Order 19-C, covering poultry prices in the Sacramento area, filed 10:32 a.m.

Sacramento Order 6-B under Adopting Order 20-C, covering poultry prices in the Sacramento area, filed 10:32 a.m.

Sacramento Order 3-B under Order 20-F, covering community food prices in the Sacramento-Stockton area, filed 10:31 a. m. Sacramento Order 21-F under Basic Order

Sacramento Order 21-F under Basic Order 3-B, covering community food prices in certain counties in California, filed 10:31 a.m.

Sacramento Order 22-F, under Basic Order 3-B, covering community food prices in certain counties in California, filed 10:31 a.m.

San Francisco Order G-8, covering certain dry groceries in certain cities and counties in California, filed 10:33 a.m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK, Secretary.

[F. R. Doc. 45-2227; Filed, Feb. 7, 1945; 11:47 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register January 24, 1945.

REGION I

Augusta Order 1-W, Amendment 5-A, covering certain dry groceries in the Augusta, Maine, Area, filed 10:31 a.m.

Augusta Order 18, Amendment 8-A, covering certain dry groceries in the Augusta, Maine, Area, filed 10:31 a.m.

REGION III

Cincinnati Order 5-F, Amendment 2, covering fresh fruits and vegetables in certain counties in the State of Ohio, filed 10:32 a.m.

Lexington Order 5-W, covering community food prices in the Lexington, Ky., Area, filed 10:29 a. m.

Lexington Order 6-W, covering community food prices in the Lexington, Ky., Area, filed 10:29 a.m.

Lexington Order 13, covering community food prices in the Lexington, Ky., Area, filed 10:31 a.m.

Lexington Order 14, covering community food prices in the Lexington, Ky., Area, filed 10:30 a. m.

REGION IV

Jackson Order 4-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Mississippi, filed 10:23 a.m. Jacksonville Order 9-W, covering commu-

Jacksonville Order 8-W, covering community food prices in the Jacksonville, Fla., Arca, filed 10:22 a. m.

Jacksonville Order 10-W, covering certain dry groceries in the Northern Florida Area, filed 10:22 a.m.

Jacksonville Order 11-W, covering dry groceries in the Miami-Tampa Areas, filed 10:21 a.m.

Jacksonville Order 12-W, covering dry groceries in the Southern Florida Area, filed 10:21 a.m.

Jacksonville Order 34, covering community food prices in the Jacksonville, Fla., Area, filed 9:52 a.m.

Jacksonville Order 35, covering community food prices in the Northern Florida Area, filed 9:52 a.m.

Jacksonville Order 36, covering community food prices in the Miami-Tampa Areas, filed 9:51 a.m.

Jacksonville Order 37, covering community food prices in the Southern Florida Area, filed 9:51 a.m. Jacksonville Order 38, covering community food prices in the Key West, Fla., Area, filed 9:50 a.m.

Jacksonville Order 39, covering community food prices in the Florida Area, filed 9:50 a.m.

Memphis Order 1-O, covering community food prices in Memphis and Shelby Counties, Tenn., filed 9:53 a.m.

Roanoke Order 11-F, Amendment 4, covering fresh fruits and vegetables in certain countles in Virginia, filed 10:23 a.m.

REGION V

Arkancas Order 2-F, Amendment 42, covering fresh fruits and vegetables in the Arkancas Area, filed 10:24 a.m.

Arkancas Order 6-F, Amendment 38, covering fresh fruits and vegetables in the Arkancas Area, filed 10:24 a.m.

Fort Worth Order 1-F, Amendment 53, covering fresh fruits and vegetables in the Fort Worth, Tex., Area, filed 10:28 a.m.

Fort Worth Order 2-F, Amendment 53, covering fresh fruits and vegetables in the Fort Worth, Tex., Area, filed 10:23 a.m. Fort Worth Order 3-F, Amendment 53,

Fort Worth Order 3-F, Amendment 53, covering fresh fruits and vegetables in the Fort Worth, Tex., Area, filed 10:27 a, m.

Fort Worth, Tex., Area, filed 10:27 a.m. Fort Worth Order 4-F, Amendment 53, covering fresh fruits and vegetables in the Fort Worth, Tex., Area, filed 10:27 a.m.

Fort Worth Order 5-F, Amendment 53, covering fresh fruits and vegetables in the Fort Worth, Tex., Area, filed 10:27 a.m.

Lubbock Order 3-F, Amendment 37, covering fresh fruits and vegetables in the Lubbock, Tex., Area, filed 10:23 a.m.

REGION VI

North Platte Order 38, Amendment 1, covering dry grocaries in the North Platte Area, filed 10:26 a.m.

Sioux City Order 2-F, Amendment 53, covering fresh fruits and vegetables in certain cities in Iowa and Nebraska, filed 10:26 a.m.

Springfield Order 1-FS, Amendment 23, covering frech fruits and vegetables in Springfield, Ill., filed 10:25 a.m.

Springfield Order 3-FS, Amendment 4, covering fresh fruits and vegetables in certain counties in Illinois, filed 10:28 a.m.

counties in Illinois, filed 10:23 a.m.
Twin Cities Order 1-P, Amendment 10, covering fresh fruits and vegetables in St. Paul and Minneapolis, filed 10:27 a.m.

REGION VII

Montana Order 1-B, covering certain food prices in certain areas in Montana, filed 10:19 a.m.

Montana Order 32-F, Amendment 2, covering fresh fruits and vegetables in certain areas in Montana, filed 10:19 a.m.

Montana Order 86, Amendment 1, covering community food prices in certain cities in Montana, filed 10:20 a.m.

Montana Order 87, Amendment 1, covering community food prices in certain areas in Montana, filed 10:20 a.m.

Montana Order 83, Amendment 1, covering community food prices in the State of Montana, filed 10:20 a.m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK, Secretary.

[P. R. Doc. 45-2300; Filed, Feb. 8, 1945; 11:33 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register February 5, 1945.

REGION IV

Roanoke Order 14, covering community food prices in the Roanoke Area, filed 1:11

Roanoke Order 15, covering community food prices in the Roanoke Area, filed 1:11 p. m.

REGION V

Dallas Order 1-F, Amendment 48, covering fresh fruits and vegetables in the Dallas Area, filed 1:10 p. m.

San Antonio Order 4-W, Amendment 3, covering community food pricing in the San Antonio Area, filed 1:10 p. m.

San Antonio Order 15, Amendment 3, covering dry groceries in certain counties in Texas, filed 1:10 p. m.

Lubbock Order G-18, Amendment 1, covering dry groceries in certain areas in the State of Texas, filed 1:10 p. m.

REGION VIII

Fresno Order 3-F, Amendment 38, covering fresh fruits and vegetables in certain

cities in California, filed 1:14 p. m.
Fresno Order 4-F, Amendment 13, covering fresh fruits and vegetables in the Fresno, Calif., Area, filed 1:14 p. m.

Fresno Order 6-F, Amendment 24, covering fresh fruits and vegetables in the county of

Kern, filed 1:14 p. m.
Fresno Order 7-F, Amendment 3, covering fresh fruits and vegetables in the city of

Merced, Calif., filed 1:14 p. m.
Los Angeles Order 1-B, covering certain food prices in the Los Angeles Area, filed 1:12

p. m.
Los Angeles Order 12, covering certain food prices in the Los Angeles Area, filed 1:13 p. m.

Los Angeles Order 13, covering community food prices in the San Bernardino Area, filed 1:13 p. m.

Los Angeles Order 14, covering community food prices in the Santa Barbara-Ventura Area, filed 1:11 p. m.

Los Angeles Order 16, covering community food prices in the Los Angeles Area, filed 1:12 p. m.

Nevada Order 6-F Amendment 7, covering fresh fruits and vegetables in Reno and Sparks Area, filed 1:08 p.m.

Nevada Order 7-F, Amendment 7, covering fresh fruits and vegetables in certain cities in Nevada, filed 1:07 p. m. Nevada Order 8-F, Amendment 7, covering

fresh fruits and vegetables in certain cittes

in Nevada, filed 1:07 p. m.
Phoenix Order 2-W, Amendment 5, covering fresh dry groceries in the Coconino-Yavapai Area, filed 1:09 p. m.

Phoenix Order 3 under Basic Order 1-B, Amendment 4, covering community food prices in the Coconino-Yavapai Area, filed 1:09 n. m.

Phoenix Order 3-F, Amendment 56, covering fresh fruits and vegetables in the Phoenix, Ariz., area, filed 1:08 p. m.

Phoenix Order 6 under Basic Order 1-B, Amendment 5, covering community food prices in the Gila Valley Area, filed 1:08 p.m.

Phoenix Order 8 under Basic Order 1-B, Amendment 2, covering community food prices in the Yuma Area, filed 1:09 p. m.

Phoenix Order 9-W under Basic Order 2-B, Amendment 5, covering community food prices in the Gila Valley Area, filed 1:08 p. m.

Phoenix Order 13-W under Basic Order 2-B, Amendment 2, covering community food prices in the Yuma Area, filed 1:08 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

> ERVIN H. POLLACK. Secretary.

[F. R. Doc. 45-2301; Filed, Feb. 8, 1945; 11:33 a. m.]

SECURITIES AND EXCHANGE COM-MISSION.

[File Nos. 54-113, 70-1015, 59-78]

LOUISVILLE GAS AND ELECTRIC CO. (DEL.) AND STANDARD GAS AND ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING ON PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 5th day of February 1945.

In the matter of Louisville Gas and Electric Company (Delaware) File No. 54-113; Standard Gas and Electric Company, File No. 70-1015; Louisville Gas and Electric Company (Delaware), Respondent, File No. 59-78.

I. Notice is hereby given that Louisville Gas and Electric Company, a Delaware corporation (heremafter referred to as Louisville of Delaware) a registered holding company and a subsidiary of Standard Gas and Electric Company (hereinafter referred to as Standard Gas) also a registered holding company. has filed a plan pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 (hereinafter referred to as the Act) for the liquidation of Louisville of Delaware for the purpose of enabling the said company to comply with the provisions of section 11 (b) of the act.

All interested persons are referred to said plan which is on file at the office of the Commission for a statement of the provisions therein contained which may be summarized as follows:

Louisville of Delaware owns 833,161 of the 1,033,839 outstanding shares of Common Stock of Louisville Gas and Electric Company, a Kentucky corporation (hereinafter referred to as Louisville of Kentucky) Of the remaining shares of Common Stock of Louisville of Kentucky, 124,306 are owned by Standard Gas and 26,372 are held by the general public. In addition to its holdings of Louisville of Kentucky Common Stock, Louisville of Delaware also had net current assets as of September 30, 1944, of approximately \$987,000. Louisville of Delaware has outstanding 600,374 shares of Class A common stock and 300,949 shares of Class B common stock, all of which are without par value, and has no liabilities other than current liabilities.

Substantially all of the shares of Common Stock of Louisville of Kentucky owned by Louisville of Delaware will be distributed to the holders of the Class A and Class B common stocks of Louisville of Delaware on the following bases:

For each share of Class A common stock. 11/12th shares of Louisville of Kentucky Common Stock or, at the holder's option (which must be exercised within 30 days after the plan becomes effective), 1 share of Louisville of Kentucky Common Stock plus \$1,923 in cash.

For each share of Class B common stock, %ths of 1 share of Louisville of Kentucky Common Stock.

No fractional shares of Common Stock of Louisville of Kentucky will be delivered. In lieu thereof, Louisville of Delaware will pay to each stockholder cash at the rate of \$23.08 per share for any fractional share of Louisville of Ken-

tucky Common Stock to which the stockholder may be entitled on the above bases. The plan states that in the opinion of the Board of Directors of Louisville of Delaware the value of \$23.08 assigned to the Common Stock of Louisville of Kentucky for the purposes of the plan represents the fair value of such stock.

The plan also proposes a residual distribution to the holders of the Class B common stock, after payment of all expenses and obligations to be incurred in carrying out the plan, of approximately \$3.60 in cash per share.

In order to facilitate the carrying out of the plan, Standard Gas, which owns 93.90% of the Class B common stock of Louisville of Delaware, has advised the latter company that it is willing, subject to receiving requisite consent of this Commission, to take all or part of its proportionate share of the residual distribution in Common Stock of Louisville of Kentucky at the assigned value of \$23.08 per share and to purchase any additional shares of said Common Stock owned by Louisville of Delaware at \$23.08 per share so that sufficient funds may be available for the optional cash payment of \$1.923 per share to all holders of the Class A common stock who may elect to receive such optional cash payment and for the residual cash distribution to holders of the Class B common stock other than Standard Gas.

Upon consummation of the plan, it is proposed that Louisville of Delaware will be dissolved.

Louisville of Delaware has requested that in the event the plan is approved by this Commission application be made to an appropriate United States District Court to enforce and carry out the terms and provisions of the plan. The proposed plan does not provide for the vote or consent of stockholders of Louisville of Delaware; upon the entry of a final decree of the Court the terms of the plan will become binding upon all stockholders.

II. Notice is further given that a declaration and application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the Standard Gas and Electric Company, a registered holding company and the parent of Louisville of Delaware.

All interested persons are referred to this application and declaration which is on file at the office of the Commission for a statement of the transactions therein proposed which may be summarized as follows:

This application and declaration is filed in connection with the plan filed by Louisville of Delaware with this Commission pursuant to section 11 (e) of the act, the provisions of which plan are hereinabove set forth. In conformance with the aforementioned plan, Standard Gas proposes to accept all or part of its proportionate share of the assets, remaining for distribution to the holders of the Class B common stock of Louisville of Delaware, in Common Stock of Louisville of Kentucky at the assigned value of \$23.08 per share. Standard Gas further proposes to purchase any additional shares of said Common Stock owned by Louisville of Delaware at \$23.08 per share so that sufficient funds may be available for the optional cash payment of \$1.923 per share to all holders of the Class A common stock of Louisville of Delaware who may elect to receive such optional cash payment and for the residual cash distribution to the holders of the Class B common stock other than Standard Gas. Standard Gas cannot at this time determine the exact number of shares of Common Stock of Louisville of Kentucky that it will purchase from Louisville of Delaware upon this Commission's approval of the aforesaid plan. but it estimates that it will be required to purchase a maximum of 12,768 shares of the Common Stock of Louisville of Kentucky.

III. The Commission having examined the corporate structure of the Louisville of Delaware holding company system, the relationship among the companies of said system, the character of the interest thereof and the properties owned or controlled thereby, and having examined the files and records of the Commission relating thereto, and said examination having disclosed data establishing or tending to establish:

(1) Louisville of Delaware is a registered holding company incorporated under and by virtue of the laws of Delaware, having its principal executive office in Wilmington, Delaware.

(2) Louisville of Delaware is presently the top holding company in a holding company system containing five subsidiaries, only one of which is a direct subsidiary of Louisville of Delaware. The names of the companies in this system, together with the State in which such is incorporated and the percentage of voting stock of the respective subsidiary companies owned by their immediate parents, consist of:

| Company | State of in- corporation | Per- cent of voting power |
|--|--|--|
| Lousville Gas & Electric Co Lousville Gas & Electric Co Lousville Transm'ssion Corporation. Lousville Transmission Corporation. Ohio Valley Transmission Corporation. Kentucky West Virginia Gas Co. | Delawara_ Kentuckydo Indiana do West Virginia. | 46. 61 98. 59 100. 00 100. 00 40. 00 |

(3) The sole assets of Louisville of Delaware are 883,161 shares of the Common Stock of Louisville Gas and Electric Company (Kentucky) and net current assets of approximately \$987,000 as of September 30, 1944.

(4) Louisville Gas and Electric Company (Kentucky) is engaged in the sale of electric service and gas service at retail in Kentucky and at wholesale to other gas utilities; it also produces, distributes and sells steam at retail in the city of Louisville, Kentucky. Louisville Transmission Corporation (Kentucky) and Louisville Transmission Corporation (Indiana) operate electric transmission (Indiana) operate electric transmission lines connecting the lines of The Tennessee Valley Authority with the electric system of Louisville of Kentucky. Ohio Valley Transmission Company operates

electric transmission lines connecting the electric system of the Cincinnati Gas & Electric Company with the electric system of Louisville of Kentucky. The Kentucky West Virginia Gas Company produces natural gas and is the main source of supply of gas for Louisville of Kentucky.

(5) The presently issued and outstanding securities of Louisville of Delaware consist of 600,374 shares of Class A common stock, no par value, and 300,949 shares of Class B common stock, no par value.

(6) The amended Certificate of Incorporation of Louisville of Delaware provides in substance as follows:

(a) In the event of dissolution or liquidation, whether voluntary or involuntary, the holders of the Class A common stock are entitled to receive \$25 per share before any payment shall be made to the holders of the Class B common stock; after the payment of \$25 per share to the holders of the Class A common stock, the holders of the Class B common stock are entitled to receive \$25 per share; and thereafter any further payments shall be made to the holders of both classes, share and share alike.

(b) The holders of the Class A common stock are entitled to receive dividends in any quarter at the rate of \$1.50 per share per annum before any dividends are paid on the Class B common stock; after dividends have been paid at said rate on the Class A common stock for any quarter, dividends at said rate for such quarter may then be paid on the Class B common stock; any further dividends for such quarter shall then be paid upon both classes, share and share alike, without distinction as to class.

(c) Except as otherwise specifically

(c) Except as otherwise specifically provided by law, the holders of the Class A common stock have no voting rights. The holders of the Class B common stock are entitled to one vote for each share of such stock.

(7) Louisville of Delaware performs no function other than to receive dividends on its holdings of the Common Stock of Louisville of Kentucky and distribute dividend payments to the stockholders of Louisville of Delaware.

IV. It being the duty of the Commission, pursuant to section 11 (b) (2) of the act, to require by order, after notice and opportunity for hearing, that each registered holding company, and each subsidiary company thereof, shall take such steps as the Commission shall find necessary to ensure that the corporate structure or continued existence of any company in the holding company system does not unduly or unnecessarily complicate the structure, or unfairly or ineouitably distribute voting power among security holders of such holdingcompany system; and

The Commission being required by the provisions of section 11 (e) of the act, before approving any plan thereunder, to find, after notice and opportunity for hearing, that such plan, as submitted or as modified, is necessary to effectuate the provisions of subsection (b) of section 11, and is fair and equitable to the persons affected by such plan; and

It tentatively appearing to the Commission that the continued existence of Louisville of Delaware unduly and unnecessarily complicates the structure of the holding company system of which it is the parent; and

It therefore appearing to the Commission in the public interest and the interest of investors and consumers that proceedings be instituted and notice be given and a hearing held for the purpose of determining what action if any should be ordered under section 11 (b) (2), and with respect to the proposed plan filed under section 11 (e) of the act; and

It further appearing to the Commission that the proceedings to be instituted pursuant to section 11 (b) (2) are related to and contain common questions of law and fact both with the proceedings on the plan filed by Louisville of Delaware for its liquidation and with the proceedings on the application and declaration filed by Standard Gas; that evidence offered in respect of each of said proceedings may have a bearing on the others and that substantial savings in time, effort and expense will result if said proceedings are consolidated so that they may be heard as one matter and so that evidence adduced in one matter may stand as evidence in the others for all purposes;

It is hereby ordered, That proceedings under section 11 (b) (2) of the act be and hereby are instituted with respect to Louisville of Delaware and that such proceedings be consolidated with the proceedings relating to the plan filed under section 11 (e) and with the proceedings with respect to the application and declaration herein filed by Standard Gas and that a hearing on such consolidated proceedings under the applicable provisions of the act and rules and regulations promulgated thereunder be held on the 14th day of March, 1945, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room where such hearing will be held.

All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by its rules of practice, Rule XVII, on or before March 9, 1945.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of issues presented by the plan filed by Louisville of Delaware, by the application and declaration filed by Standard Gas or by the proceedings hereby instituted pursuant to section 11 (b) (2) of the act, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the transactions involved in the proposed plan filed pursuant to section 11 (e) and in the application and declaration of Standard Gas comply with all of the requirements of the applicable provisions of the act and the rules and regulations promulgated thereunder.

(2) Whether the plan, as proposed or modified, is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons

affected thereby.

(3) Whether the proposed allocation of the Common Stock of Louisville of Kentucky and cash as between the Class A and Class B common stockholders of Louisville of Delaware is fair and equitable or whether such allocation should be modified.

(4) Whether the proposed distribution of the Common Stock of Louisville of Kentucky and all other terms and provisions of the plan are in all respects in the public interest and in the interest of investors and consumers.

(5) Whether the fees and expenses to be paid in connection with the proposed plan and all transactions incidental thereto are for necessary services and

are reasonable in amount.

(6) Whether the proposed acquisition by Standard Gas of certain shares of the Common Stock of Louisville of Kentucky is in conformance with the provisions and standards of sections 10 and 12 (f) of the act, requiring no adverse findings under section 10 (b) and permitting the findings required under section 10 (c)

(7) Whether the allegations contained in Part III hereof are true and correct.

(8) Whether the continued existence of Louisville of Delaware in the Louisville of Delaware holding company system unduly or unnecessarily complicates the structure of such holding company system of which it is the parent, and whether Louisville of Delaware should be liquidated and its existence terminated.

It is further ordered, That notice of this hearing be given to Louisville Gas and Electric Company (Delaware) Louisville Gas and Electric Company (Kentucky) Standard Gas and Electric Company, the Public Service Commission of Kentucky and the Mayor of Louisville. Kentucky, by registered mail and to all other persons by publication in the Feb-ERAL REGISTER and by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the act: and

It is further ordered, That Louisville of Delaware mail a copy of the plan and of this notice and order at least twenty

days prior to March 14, 1945, to each of its security holders at his last known address.

By the Commission.

[SEAL]. ORVAL L. DUBOIS,

Secretary.

[F. R. Doc. 45-2259; Filed, Feb. 7, 1945; 4:51 p. m.]

[File Nos. 54-117, 59-72]

COLUMBIA GAS & ELECTRIC CORP. ET AL.

ORDER NAMING PARTY TO PROCEEDING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania on the 5th day of February 1945.

The Commission having, on January 9, 1945, issued its notice of and order for hearing on the application for approval of a plan, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, filed by Columbia Gas & Electric Corporation, a registered holding company, said plan involving, among other things, a reclassification of the outstanding Preferred, Preference and Common Stocks of Columbia into a single class of Capital Stock and the distribution of such Capital Stock, and also the Common Stocks of The Cincinnati Gas & Electric Company and The Dayton Power and Light Company (after certain intercorporate rearrangements), to the present holders of all existing Columbia stocks and other incidental and related transactions; and

The United Corporation, a registered holding company and the parent of Columbia, of whose outstanding voting securities The United Corporation owns 19.6%, having requested to be made a party in the above-captioned proceeding; and

It appearing that under the proposed plan The United Corporation is to receive securities, the acquisition of which is subject to the provisions of sections 9 and 10 of the act; and

It appearing to the Commission that it is appropriate in the public interest and the interests of investors and consumers that The United Corporation be a party herein;

It is ordered, That The United Corporation be, and hereby is, made a party in the above-entitled proceeding.

By the Commission.

[SEAT.]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 45-2260; Filed, Feb. 7, 1945; 4:51 p. m.]

[File No. 59-25]

United Corporation

ORDER DENYING PETITION FOR REHEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of February 1945.

The Commission having, on January 16, 1945, issued its Findings and Opinion and Order herein granting the application of The United Corporation pursuant to section 11 (c) of the Public Utility Holding Company Act of 1935 for an additional period of one year from August 14, 1944, within which to comply with the provisions of the Commission's order of August 14, 1943, pursuant to section 11 (b) (2) of the act; and

Randolph Phillips, a common stockholder of The United Corporation, having filed on January 20, 1945, a petition for rehearing with respect to the aforementioned order of the Commission dated January 16, 1945, or in the alternative for the amendment of said findings and opinion and order so as to make any extension of time subject to the conditions that cumulative voting be instituted at the March 1945 election and at all subsequent elections of directors of The United Corporation and that the board of crectors of the company be reconstituted prior to the March 1945 election so as to give representation on it to those nominees for director who could have been elected at the annual meeting in March 1944 had cumulative voting then prevailed and further that the findings and opinion and order of January 16, 1945, be amended in other respects: and

The Commission having considered the reasons advanced in support of the relief requested and being of the opinion that the request is not well founded and should be denied,

It is ordered, That the petition of Randolph Phillips, dated January 20, 1945, requesting a "chearing or in the alternative the amendment of the findings and opinion and order of this Commission dated January 16, 1945, be, and the same hereby is, denied.

By the Commission.

[SEAL] ORVAL L. DuBois,

Secretary.

[F R. Doc. 45-2261; Filed, Feb. 7, 1945; 4:51 p. m.]